Interspecies Ethics:

Animal Rights and Human

Obligations

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CONTENTS

I. Introduction:

The issue of interspecies ethics has been in existence, in one form or another, at least since the era of ancient Greek philosophy and in all probability long before it. Occasionally, over the intervening centuries, some progressive thinker would revive the issue anew by offering new or recycled thoughts on the matter. Aristotle (Aristotle 1905), Aquinas (Aquinas 1923), Descartes (Descartes 1978), Voltaire (Voltaire 1971), Kant (Kant 1963), Bentham (Bentham 1948), Schweitzer (Schweitzer 1961), and Salt (Salt 1980) are some of the more renowned examples.

The question of the ethical treatment of animals can be viewed as two separate but related issues, animal welfare and animal rights. The modern animal rights movement was born with the release of *Animal Liberation* by the Australian philosopher Peter Singer in 1975 (Harnack 1996, 16). This seminal work has come to be known as the "bible" of the animal rights movement (Harnack 1996, 16). It has had a significant impact on our society and touched off an intense debate (Harnack 1996, 12). One would be hard-pressed to find anyone that has not heard of or been affected by the animal rights movement. A plethora of animal rights organizations have been formed (Fraser et al. 1990, 106). Some, like People for the Ethical Treatment of Animals, advocate animal rights with an almost religious zeal, picketing businesses that "exploit" animals, staging public events calculated to shock the public into awareness of animal rights issues, and other protest activities designed to keep animal rights on the public agenda (PETA 1997). Others like The Humane Society of the United States advocate a more moderate approach (HSUS 1997).

A few of these organizations, like the Animal Liberation Front, advocate the total abolition of animal 'exploitation' by whatever means necessary including civil disobedience and criminal behavior (Harnack 1996, 16). Animal users and consumers of every description from hunters to pet owners, zoos to circuses, furriers to livestock producers, and conservationists to researchers have been put on the defensive by the aggressive tactics of animal rights advocacy organizations.

The issues of animal welfare and rights have particular relevance for natural resource managers. Park managers often encounter conditions where the homeostasis of a park ecosystem has been compromised by the absence of the primary, indigenous predators. This situation often leads to the over-population of various herbivorous species that further degrades the habitat due to overgrazing. A typical case involves deer populations that, in the absence of natural population controls such as wolves, increase beyond the carrying capacity of the ecosystem. Park managers are faced with artificially controlling the populations of these herbivores. This is ususally accomplished by culling the herd (The Columbus Dispatch, 25 May 1997). This situation typically leads to a challenge from animal rights activists. Unfortunately, these challenges are often mishandled because, in the author's opinion, natural resource personnel are inadequately prepared to address the challenge. The deer culling in the Sharon Woods Metro Park some years ago is an example.

After twenty years of debate, it appears that the issue has become deadlocked with little possibility of consensus for the foreseeable future. The primary participants have hardened their positions from arguments based on reason to rhetoric based on dogma.

New opinions are added to the debate, however, they are typically variations of the principal arguments. The tension between the opposing groups is exacerbated by the fact that issues concerning animals often generate powerful emotions. The public is caught between opposing forces with little hope of making a reasoned decision.

Animal utilization lies at the very core of human culture. Animals are used for food, clothing, entertainment, companionship, labor, surrogates for biomedical research, and so on. If it were possible to develop an irrefutable argument in support of animal rights, the socio-cultural impacts would be potentially enormous. The stakes are obviously high and with the competing antagonists locked in dogma, the debate has become mired in the politics of confrontation and conflict.

Although there are many arguments offered on the subject, there are only a limited number of ways of approaching the issue. On one end of the spectrum are those who assert that no other life-form but human is entitled to moral consideration of any kind. This extreme position would view any treatment of nonhuman organisms with total indifference. Any treatment no matter how seemingly cruel or insensitive would be morally irrelevant. Rene Descartes offered an argument representative of this view. His criterion for moral standing consisted of having a rational soul. He asserted that no living thing but man met this criterion. He asserted that animals were senseless machines--automatons. This argument gave comfort and license to vivesectionists who dissected living animals without any anesthetic since they felt no pain. This position is no longer considered credible or relevant to the issue at hand.

On the other end of the spectrum is the extreme position of equal rights for all

living organisms. Albert Schweitzer's reverence for life comes closest to this position, but even he recognized that as heterotrophic organisms, our nature requires that we take life to survive. Although he maintained that each of us must bear individual moral responsibility for the injury and death we cause, he still viewed it as a necessary evil. From a practical perspective, this extreme position is, like its opposite, not relevant to the current debate.

In practical terms, the viewpoints on animal rights can be roughly divided into two groups. Since virtually no one publicly espouses a position of total indifference to the treatment of all nonhuman organisms such as Descartes', it becomes a question of animal welfare, that is what nonhumans are moral patients. Moral patients are those who are capable of being owed moral consideration but not moral agency. On the other side, it is a question of animal rights, in other words, what nonhumans are moral agents. Moral agents are those individuals that are capable of having moral obligations as well as generating moral obligations in other moral agents.

In this thesis, I will present representative arguments from the animal welfare and animal rights perspectives on the moral standing of animals, and I will discuss a biocentric approach to the issue. This thesis is divided into two sections: "Animal Rights: The Dominant Viewpoints" and "Animal Rights: A Biocentric Perspective." All arguments are presented in four parts: 1) a presentation of the principal tenets of the argument, 2) the typical objections to the argument, 3) a discussion of the argument and the objections, and 4) the conclusion.

II. Literature Review:

The literature addressing animal rights is extensive. Since the publication of *Animal Liberation* in 1975, numerous books and articles have been published. The National Agricultural Library (NAL) of the United States Department of Agriculture has compiled a bibliography entitled *Ethical and Moral Issues Relating to Animals* containing 349 citations from January 1985 to February 1992 (NAL 1992). Fortunately, there are several excellent anthologies on the subject that distill the many differing viewpoints down to the fundamental arguments that form the essence of the debate. Since the essential arguments for and against animal rights are relatively few in number, the literature search can be easily managed.

III. Methodology:

The issue of animal rights is essentially one of ethics or morality. Ethical or moral systems usually derive from worldviews such as those based on religions, science, or culture and are considered in disciplines or fields such as theology, anthropology and cosmology. For the purposes of this thesis, the approach to animal rights will be limited to moral philosophy. Therefore, the methods employed to achieve the goals of this paper are the dialectical methods of philosophy and include deductive and inductive arguments, example and counterexample, and so forth. At the heart of the animal rights issue is the question of moral standing or considerability; who or what has it and why. There are two types of moral standing. Moral agents are beings who are capable of having obligations and moral patients (subjects) are beings who are capable of being owed obligations. The

primary issue in dispute in the animal rights debate focuses on what constitutes acceptable criteria for recognition as either a moral agent or patient. Animal rights advocates argue for criteria that would extend moral agency beyond just humans to at least some animals that would then have equal rights with all other moral agents including humans. Animal rights opponents argue for criteria that restrict moral agency to rational, self-legislative, members of a moral community. Animal welfarists argue for criteria according to which at least some animals would be moral subjects to which humans as moral agents would have obligations.

Some general information may provide further insight into the methodology used in this analysis. Normative ethical theories (NETs) are philosophical tools that provide guidelines for developing strategies to arrive at specific moral judgments (Rosen 1990, 14). A NET consists of a theory of value and a theory of obligation. The theory of value defines what is valued, thereby, providing a reference system for justifying moral judgments. A theory of obligation defines what actions are permitted or prohibited. Teleological theories are based on the value of the consequences of actions and their associated probabilities, while deontological theories of obligation are based on the value of actions regardless of the consequences (Bowie et al. 1992, 4). The term "rights" in "animal rights" refers to the type of "rights" that generate obligations for moral agents, in other words, those beings capable of comprehending and behaving in accord with moral principles and judgments; "ought" implies "can". If an organism is recognized by moral agents as having a "right to life", then they have an obligation not to kill the organism. If an organism has a right to be free of suffering, then moral agents have obligations to

prevent or not to inflict suffering on the organism. As moral agents, humans have moral obligations. Humans who, for various reasons such as mental retardation, are not capable of moral agency are in most human societies considered moral subjects, that is, they generate obligations in moral agents but have none themselves. The criteria by which moral standing is determined is at the heart of the animal rights debate.

PART ONE

Animal Rights: The Dominant Viewpoints.

Peter Singer:. Equal consideration for animals.

Peter Singer is a philosopher who views the issue of human treatment of nonhuman animals as a matter of welfare, not rights. He offers what is perhaps the best known animal rights argument and undoubtedly the most influential.

Premise 1. If any action increases the overall good of the greatest number more than any other available action, then that action is obligatory.

Premise 2. The act of preventing or minimizing suffering increases the good of the greatest number more than any other available action.

Conclusion: This particular action is obligatory.

Singer derives his perspective from the fundamental, moral principle of equal consideration of interests. The principle of equality is the assertion that "Each [is] to count for one and none for more than one" (Singer 1990, 5). This principle "is not a description of an alleged actual equality among humans: it is a prescription of how we should treat human beings" (Harnack 1996, 21). Anything which has morally significant interests falls within the purview of the principle of equal consideration. Singer argues that "only a being with subjective experiences...can have interests in the full sense of the term" (Bowie et al. 1992, 481). In another work, he states that, "the capacity for suffering or enjoying things (sentience) is a prerequisite for having interests at all" (Regan and Singer 1989, 78). Therefore, in Singer's view, not just humans but all sentient beings are entitled to equal consideration. Accordingly, to discriminate against other species by giving greater weight

to our own is analogous to racism and sexism which also discriminate by giving greater weight to a favored group. Furthermore, Singer asserts that if we judge racism and sexism to be immoral, then consistency demands the same judgment for speciesism (Bowie et al. 1992, 480).

If not all species are sentient, then the question arises of where we draw the line between those species that are entitled to equal consideration of interests and those that are not. Singer acknowledges that he could not clearly determine where to draw the line of sentience or interests in the phylogenetic spectrum of species. In the original edition of his *Animal Liberation* (1975) he suggested "that somewhere between a shrimp and an oyster seems as good a place to draw the line as any." In the 1990 edition of his book, Singer admits to doubts about his earlier positioning of the line of sentience and then includes all mollusks in the portion of the phylogenetic spectrum that can be said to have interests.

He recognizes that the concept of "interests" may be open to question or interpretation, so he tries to clarify his position. He points out that it could be argued that a tree has interests, for example, in being watered. This, he contends, is too loose an interpretation of "interests" and "is not the sense covered by the principle of equal consideration of interests" (Bowie et al. 1992, 481). The statement that the tree has an interest in being watered really amounts to saying that the tree needs water to survive, and this is the same as saying that a car needs oil to continue to function properly. In neither case do we believe that there is a conscious preference for water or oil. Singer asserts that consciousness is a necessary and sufficient condition for having interests: "only a being with subjective experiences...can have interests in the full sense of the term" (Bowie et al.

1992, 481). Singer's view of animal rights necessarily limits moral considerability to **individual**, sentient organisms and, therefore, when weighing the relative interests of individual organisms in a conflict of interest situation, no additional weight can be given to one organism over the other because of the rarity of its species. In other words, if domestic goats were introduced into an island ecosystem where they were eating to extirpation a particular species of plant that was the only food source for an endangered species of indigenous animal, the goats would have equal moral standing with the endangered species. The only valid basis for variable weight of moral considerability in situations of conflicts of interests is the relative degree of suffering between the involved individuals.

Objections:

1.) R. G. Frey argues that animals cannot have interests. He defines interests in the "sense of having wants which can be satisfied or left unsatisfied" (Regan and Singer 1989, 39). Frey uses the term "wants" to include both needs and desires. Animals need water just as tractors need oil in order to remain "a good of their kind" (Regan and Singer 1989, 40). Since tractors, plants and animals all have needs this cannot be the sense of want that equates with interests because nothing is excluded "from the class of want-holders" (Regan and Singer 1989, 39). As for the other form of wants, Frey argues that animals can not have desires.

According to Frey, to desire something one has to be capable of beliefs and "having beliefs is not compatible with the absence of language and linguistic ability"

(Regan and Singer 1989, 40). In other words, Frey maintains that belief is predicated on language. He offers an example to demonstrate his point. He imagines himself a collector of rare books who desires to own a Gutenberg Bible. He asserts that his desire derives from his belief that he does not own such a book and as a result his collection is deficient. His desire is dependent on his belief, and what he believes is that the statement "My collection lacks a Gutenberg Bible" is true (Regan and Singer 1989, 40). For a bird in a cage to desire to be free, according to Frey, it must believe that a sentence declaring that it has a particular deficiency, say freedom of movement, for example, is true, is to generate a desire for what is lacking--freedom. "If what is believed is that a certain declarative sentence is true, then no creature which lacks language can have desires" (Regan and Singer 1989, 41). Some human animals such as the severely mentally retarded and all nonhuman animals do not possess language capability, therefore, they cannot have desires.

Without desire there are no interests. Furthermore, to even have a concept of belief, there must be the ability to distinguish between true and false beliefs. He gives the example of a statement that "the cat believes the door is locked" which to him means that the cat believes that the declarative sentence "the door is locked" is true and that, therefore, the declarative sentence that "the door is unlocked" is false. Since it is well known that cats, all other nonhuman animals, and some human animals lack the ability to distinguish true from false beliefs, they cannot have a concept of belief, so they cannot have interests. He offers several other arguments regarding language and awareness to support his claim that what is believed is that a particular declarative sentence is true.

2.) Regan argues that, just as utilitarianism has serious flaws as a normative ethical theory of anthropocentric morality, Singer's utilitarian based approach to interspecies ethics is also seriously flawed. Regan bases his case not on the moral principle of equality of interests that is the foundation of Singer's position, but on the other fundamental principle of utilitarianism, the principle of utility. Anything which has utility is useful or beneficial and, therefore, has value. Regan points out that, according to the utilitarian theory of value, utilitarians value only the "satisfaction of an individual's interests, not the individual whose interests they are" (Regan and Singer (1989, 109). Consequently, living beings have no value as individuals, only their feelings do. Consequently, they cannot have rights in the conventional sense.

The principle of utility, the fundamental principle of utilitarianism, is a theory of obligation according to which moral agents have an obligation to perform "the act that will bring about the best balance between satisfaction and frustration for everyone affected by the outcome" (Regan and Singer 1989, 108). This leads to some serious problems for utilitarianism in general as well as for Singer's animal welfare position. Since utilitarianism is an aggregative, teleological theory, a utilitarian, in deciding what action is morally obligatory, must identify all the sentient beings affected by the action, determine how they will be affected, sum up all the pleasures and pains of every being affected for every available action, and then must perform the action that will bring about the best balance between satisfaction and frustration for everyone affected by the outcome. Regan then gives an example of the type usually used to point out the inherent difficulties with utilitarianism. He imagines that he has an old, cranky and very rich aunt. She is in good

health and prefers to go on living. He knows that she has willed her fortune to him upon her death. As a utilitarian evaluating his moral obligations to her, he observes that he has a number of alternate actions that he could take regarding her. He could take no action whatever, in which case the money would still be his but perhaps many years later. He could be a kind understanding and supportive nephew, or he could kill her by some means guaranteed not to be detected and get the money right away. In order to avoid a huge tax on his inheritance, he would donate a large portion of it to a local children's hospital. If he totals up all the benefit to the children and himself and weighs it against the pain inflicted in murdering his aunt, the benefits to the many children and himself far outweigh the loss to his aunt and the few, if any, who would mourn her loss. Therefore, according to utilitarian moral theory, he is morally obligated to kill his aunt. This kind of argument against utilitarianism can be applied to a wide variety of situations including ones that involve nonhuman animals, thereby, threatening the very beings that Singer seeks to protect.

3.) Carl Cohen argues against Singer's position in inflammatory terms. He argues that Singer's analogy between racism and speciesism is "atrocious," "offensive," and "utterly specious" (Cohen 1986, 867). He asserts that Singer made an error in his analogy based on moral equality. Racism and sexism are clearly morally wrong because there is no morally relevant distinction among the races or between the sexes. On the other hand, the morally relevant differences between humans and animals are enormous. Cohen states that he is a speciesist, and that speciesism is "essential for right conduct" (Cohen 1986, 867).

"Every sensitive moral judgment requires that the differing natures of the beings to whom obligations are owed be considered" (Cohen 1986, 867).

Discussion:

1.) Frey attempts to undermine Singer's animal welfare position by arguing that animals cannot have interests. Singer bases his whole case on the utilitarian principle of equal consideration of interests. If Frey can successfully argue that animals cannot have interests, then Singer's position is refuted. Frey, however, bases his argument on a different understanding of interests than Singer uses. Singer defines interests as the capacity for experiencing pleasure and pain. Frey does not acknowledge this definition let alone challenge it. Instead, he defines interests as wants or desires and proceeds to argue why it is that all nonhuman animals and some dysfunctional humans cannot have interests. In my opinion, his argument does not refute Singer's assertion. Perhaps he is trying to suggest that a sentient animal such as a cat cannot have interests even in Singer's context because it cannot desire not to suffer since it lacks the ability to believe that the declarative sentence "I lack pleasure" is a true statement. As Frey asserts in his argument, since it cannot have the concept of belief, it cannot desire pleasure. There must be more to desire than belief; I believe that I lack an elephant, but I do not desire one. Therefore, since it cannot desire, it cannot have interests. Frankly, I am surprised that anyone would seriously suggest that language, or any cognitive ability is required by a being to experience suffering. The instinctive subconscious drive to survive is more than adequate to explain

the need or desire to avoid pain or suffering. Frey's argument fails to refute Singer's position, and it is doubtful that it supports his own.

I don't think refuting Frey's argument contributes to the purpose of this paper, however, if one were to try, he or she could find several weak points in Frey's premises. For example, I share my home with an umbrella cockatoo named Jenna. She spends most of her time in a cage which apparently restricts her movements to such an unnatural degree that the lack of freedom triggers in her the want or desire or subconscious drive to get out. When she was first moved into her cage, her behavior suggested that she was looking for a way out. It was only a matter of days before she learned by trial and error or discovered serendipitously that she could unlatch the door and let herself out. She proceeded to demonstrate that this was not the result of a fortuitous accident by repeatedly opening the door and leaving her cage. This state of affairs caused a great deal of stress to the other inhabitants of our home, so it was necessary to "lock her door" with a spring loaded clasp. The moment that I approached her cage with the unfamiliar device Jenna focused on it and everything I did with it. Jenna began investigating the new device immediately and within several days had successfully learned the necessary manipulations to release the clasp. The cage is now locked with a screw type device that she is so far unable to open. Did she give up and accept the situation? No, within days she had learned or discovered (is there a difference?) that if she shoved the bottom tray of the cage completely out until it fell to the floor, she could exit her cage through the opening. The tray is now locked in place.

First let me state that I am aware of the danger of anthropomorphizing Jenna's behavior. I am certainly not suggesting that Jenna is a fully rational being. I am stating that I observed her behavior as she closely observed my behavior. I don't think Jenna consciously believed that the declarative statement "the door to my prison is locked" was true, but she clearly associated the clasp with her inability to open the door that she could open with ease before its appearance. She wanted, desired, or was driven by subconscious impulse to get out and acted on it by opening the clasp so that she could open the door. Her behavior at least clearly indicates a strong and persistent drive to be free. According to Frey's argument, either she holds the declarative statements "I lack freedom", "the door is closed", and "the clasp device locks the door" to be true or Frey's argument fails.

2.) Regan's objection is well taken. It is the type of argument that is usually offered to demonstrate the inherent weaknesses in utilitarian normative ethical theory. Utilitarians have and continue to offer arguments to counter the objections to their theory, however, to my knowledge, none have succeeded (Smart and Williams 1973).

3.) Cohen's objections seem to be confused in the sense that he argues against animal rights, which is Regan's position, as though it were Singer's position. He argues for moral standing for some animals, which is essentially Singer's position, although he qualifies it by asserting that the differing natures of organisms to which we owe obligations must be considered. This sounds similar to Rachels' moral individualism theory and seems reasonable. However, Cohen's assertion that the morally relevant differences between humans and animals are enormous, which is essential to his argument, is very problematic.

For many species that is probably true, however, for others such as the more complex mammals like primates, it is clearly doubtful.

4.) I think it is interesting to note that Singer in his *Animal Liberation* never mentions the utilitarian principle of utility. More importantly, after pointing out that his position has nothing to do with animal rights but rather animal welfare, he states that the use of the term "rights" is, just as Jeremy Bentham, the founding father of modern utilitarianism, referred to it, a "shorthand way of referring to protections that people and animals morally ought to have." He goes on to add that, "It is even more valuable in the era of thirty-second TV news clips..." (Singer 1990, 8). In other words, it is an expedient opportunity that is exploited to generate more sympathy for his political cause, animal liberation. Some would question the morality of such a strategy.

5.) The characteristic of sentience as the defining characteristic for moral standing is vague in application and results in arbitrary judgments. It is easy for humans to define pain and pleasure in human terms, however, as one moves across the phylogenetic spectrum of species from humans on one end toward the increasingly less complex species on the other end, the definition becomes increasingly unclear.

Singer offers two indicators of the capacity to suffer; behavior and similarity of the organism's nervous system to that of humans (Armstrong and Botzler 1993, 333). He makes the point that plants do not have nervous systems and they don't behave in ways that suggest pain, therefore, it is reasonable to conclude that they are not capable of experiencing pain or suffering. This position is consistent with a form of physicalism or behaviorism, it is not clear which. Physicalists assert that the mental event of pain is a

physical neurological event. Behaviorists assert that the mental event of pain is a kind of behavioral event. Behaviorism was a prominent scientific and philosophical doctrine that "has lost the sweeping influence it once enjoyed" (Kim 1996, 26). In 1967 Hilary Putnam published "Psychological Predicates." According to Kim, "This paper...quickly brought about the demise of type physicalism, in particular the mind-brain identity theory, as the reigning theory of mind..." (Kim 1996, 73). It also gave birth to the new doctrine of functionalism which has arguably become the dominant theory of mind.

If we consider the question of what it is that all pains have in common that makes them a single mental kind, the physicalist will respond that it is a physical kind like C-fiber activation (a neuronal response) and the behaviorist will say that it is a behavioral kind like a wince. The functionalist, however, will say that it is neither of these, but rather a "causal functional kind" (Kim 1996, 76). According to functionalism, pain is a functional concept that has a specific causal role. The importance of this function cannot be overstated. Tissue damage threatens the continued survival of an organism, so any physiological mechanism that functioned as a tissue-damage detector would be 'selected for' by the evolutionary process of natural selection. Organisms existing in different environments would evolve different "tissue-damage detectors" that were consistent with their specific physiology (Kim 1996, 75). The functional concept of mental events has the important affect of freeing mental events from specific physical mechanisms. In other words, nerves and brains are not necessary to experience the functional analogue of pain. In one kind of organism the tissue-damage detector might be a neurological mechanism and in another it might be a physico-chemical mechanism. Plants may not have nervous systems, but they

do have physico-chemical, tissue-damage detectors that trigger a wide variety of responses including instantaneous withdrawal from contact, moving limbs from sources of stress by differential hydraulic pressures, and elaborate defense mechanisms to protect their interests (Campbell 1993, 768). If the criterion for moral considerability is the capacity to feel pain or suffer as Singer argues, then from a functionalist perspective, it could be argued that all life forms that have a functional analogue of pain or a tissue-damage detector mechanism ought to have moral standing. Therefore, a functionalist might define sentience biologically rather than behaviorally or physiologically. Of course, it could be objected that such a position is not practical because, if we were morally obligated to consider the interests of all beings that are sentient in a functionalist context, nearly all, if not all, life forms would be sentient and how would we, as heteroptrophic organisms, survive if we, in consideration of their interests, could not use them? This is a reasonable question, and I will argue in Part II that perhaps one answer can be found in the distinction between interspecies and intraspecies ethics.

We assume none of these responses are conscious, but, as Singer points out, consciousness is not a prerequisite for suffering or pain and, furthermore, we do not understand what consciousness is even in humans. It may be that consciousness and behavior are both continua beginning as a most rudimentary state of awareness and mechanical response and increasing aggregatively across the phylogenetic spectrum to the self-conscious and volitional human species. If this were the case, the capacity for suffering would also be a continuum extending from the least amount of suffering that

could be characterized as biomechanical stress to the maximum amount of stress as currently expressed by the human species.

6.) Another concern is that only one species is deciding what characteristics are necessary for moral standing for the entire phylogenetic spectrum of species. This raises many questions about moral agency, the objectivity of evaluations of moral standing of other species, whether moral agency entails that moral agents may define the moral status of other beings, and so on. Some might argue that humans, as the only species capable of moral agency, are justified in defining the limits of moral obligations, if any, to other species. I submit that we cannot yet claim to be the only moral agent on this planet. Several other social species have relatively complex codes of behavior that may include at least a rudimentary from of moral agency. Furthermore, it is impossible for humans to completely remove their anthropocentric glasses to objectively evaluate what characteristics should count for moral standing. Obviously it is highly questionable when humans claim to be the only moral agents, but base that claim only on their own anthropocentric definition of the term. This is not to assert that humans cannot define moral agency because there is no objective standard by which to judge their definition. Objective reasoning is the only measure we have, but we must be vigilant in our recognition of our inherent anthropocentricity when attempting to assess the moral standing of nonhuman beings. This may be another issue that can be clarified by the distinction between interspecies and intraspecies ethics.

The principle of utility necessitates a weighing of the goods against the costs in terms of the likely consequences of any action in order to select the obligatory action.

When this is applied to conflicts of interests between human and nonhuman individuals, how does the human accurately and objectively value or consider the interests of the nonhuman individual? Singer, to demonstrate this difficulty, offers the example of hitting a horse or hitting a human and asserts that "the same blow would cause less pain to the animal with the tougher skin" (Bowie et al. 1992, 482). While his point is well taken, one might take it one step further. Horses can be high-strung individuals and it is quite possible that hitting a horse could cause, in addition to the pain, a fright-induced panic resulting in the horse blindly running over a cliff and dying from the fall. Regarding relative toughness of skin, rhinoceroses have very thick skin, however, it is extremely sensitive as any zoo keeper can attest. The point is that it is very problematic that humans will be able to properly evaluate the interests of nonhuman individuals. Most humans lack sufficient knowledge of nonhuman species to appraise their interests, and objectivity seems nearly impossible in most situations.

7.) Singer passes dualistic judgment on all life forms by his reference to "down the evolutionary ladder" (Singer 1990, 171). Marti Kheel asserts that Western thought tends to see the world in terms of Cartesian dualism--male and female, mind and body, us and them, subject and object, superior and inferior, animate and inanimate, reason and emotion, culture and nature, and so forth (Bowie et al. 1992, 515). Two characteristics are common to dualities: one half of the duality is "always valued more than the other," and "the more valued half is always seen as 'male' and the less valued as 'female'" (Bowie et al. 1992, 516). This dualism, according to Kheel, has resulted in the exploitation of the less valued half such as females, animals, and nature by the more valued half--human and

male. Dualism has also contributed to the perception of the world in terms of a vertical hierarchy, or up and down. A common example of this spatial metaphor is the view of the "evolutionary scale of life with man, considered the most superior species, at the top and bacteria, the lowest life-form, at the bottom. The expression, "climbing the ladder of success" relates to another vertical hierarchy. Kheel rejects this "verbal spatial metaphor" (Bowie et al. 1992, 516). Kheel asserts that in all such polarities or hierarchies the first half of the duality or top half of a hierarchy are always valued more than the other. In Singer's context, the sentient top half is more valued than the non-sentient lower half.

Kheel points out that animal liberationists and ethical humanists alike argue over the "relative values of the individual parts of nature" (Bowie et al. 1992, 517). Various characteristics are asserted to be the "right one" for determining moral standing. These characteristics include sentience, consciousness, rationality, self-determination, interests and so on. A being that possesses the chosen characteristic is awarded some degree of moral standing, while those unfortunates that lack it have none. It is ironic, Kheel asserts, that "although many of these writers feel that they are arguing against notions of hierarchy, the vast majority simply remove one set of hierarchies only to establish another" (Bowie et al. 1992, 517). In other words, they are merely replacing one form of speciesism with another.

Riane Eisler agrees with Kheel's argument and asserts that there are two basic models of social systems. The dominator model of social relations is "primarily based on the organizational principle of ranking according to relative value. This social system can

take the form of a matriarchy or, much more commonly, a patriarchy. "The other model is a partnership model, which has a single form. The primary organizational principle...is linking" (Lazlo 1991, 181).

Singer chooses not to take the obvious next step in moral evolution of extending moral considerability to the entire class of living beings. As Regan points out, Singer's claim that the "capacity for suffering or enjoying things (sentience) is a prerequisite for having interests at all" implies that some property or properties are to be valued more than life itself. After all, if one is seeking a trait or property that is common to all members of a class, why would one stop at the level of duality (sentient/nonsentient) rather than take the single additional step to the unifying trait that is common to all species--life. Is it not true that life is a prerequisite for sentience/nonsentience? A functionalist might argue that sentience is a trait common to all organisms.

One might suggest that in the interest of consistency moral standing ought to be extended to inanimate matter as well. The distinction between animate and inanimate matter is, however, enormous and nonarbitrary. Paul Taylor points out that a living being carries "out its life functions according to the laws of its species-specific nature" (Armstrong and Botzler 1993, 354). It is obvious that inanimate matter 'carries out' nothing. Even the most sophisticated machine is still inanimate matter organized by a life-form to carry out some function of the life-form. According to Taylor, "All organisms, whether conscious or not, are teleological centers of life in the sense that each is a unified, coherently ordered system of goal-oriented activities that has a constant tendency to protect and maintain the organism's existence" (Armstrong and Botzler 1993, 355).

The moral evolution of our species has not been without struggle and controversy. Nevertheless, it has progressed from extending moral standing exclusively to alpha (dominant) humans, to white male humans, to all human males, to the human species, to **some** species. We recognized in each case, except species, that our values, reflected in our favored classifications, were arbitrary and superficial. Some like Goodpaster, Schweitzer, and Taylor argue that the qualifying attribute necessary for moral standing should be life, not a secondary characteristic of it. Moral standing ought to be extended to all living beings regardless of their position in the phylogenetic spectrum. Reproduction is the prime mover of life, and the value of any action or trait is determined by its contribution to the fulfillment of the reproduction interest. The dominant power of the reproduction interest is well known in all species of life. Reproduction becomes the measure of all the traits or properties of life. Reproduction is dependent on surviving to sexual maturity. Any threat to survival triggers the "fight or flee" reflex which is innate in all forms of life including human. It is just as likely that the response will be reflexive without any mitigating reasoning occurring. It is even recognized in legal terms as a legitimate defense for any action--even the use of deadly force to prevent being killed. It can be argued that life and reproduction have intrinsic value. Therefore, all properties, characteristics, traits, and so on, are of instrumental value to life and reproduction. This will be discussed in detail in Part Two of this paper.

Conclusion:

The author submits that Singer's criteria for sentience are anthropomorphic, fail to

recognize the interests inherent in all life forms, and, in spite of his arguments to the contrary, are arbitrary. Although a functionalist version of sentience might realistically extend sentience to all life-forms, sentience still is a characteristic of a class and in my opinion moral significance should be defined by class membership not some favored trait of the class. In human society, moral standing is recognized for all members of the human class, not just those who meet some preferred or idealized species characteristic or trait such as rationality. Otherwise, human infants, and the mentally impaired would have no rights. In addition, utilitarian-based animal rights seem unworkable for the reasons discussed above.

The next argument is, like Singer's, a welfare position. However, Rachels argues that equal consideration of interests should be based on individual similarities and differences rather than the possession of some favored trait like sentience.

James Rachels: Moral individualism.

Rachels argues for a moral individualism that rejects the idea of a "separate moral category" for humans. He bases his case on the Darwinian thesis that the "illumination of men's minds" (Regan and Singer 1989, 95) was the product of a gradual evolutionary process. This thesis "...undermines some aspects of traditional morality" (Regan and Singer 1989, 95). One of these is the assertion that humans are morally special organisms by virtue of their species membership. This is typically justified by an appeal to theism and/or an anthropocentric, supernatural, creation myth that sets the human species outside

and above nature. "Is the fact that a being is human a reason for treating it with greater consideration than is given members of other species?" (Regan and Singer 1989, 95). Rachels states that there are three possible answers to this query; unqualified speciesism, qualified speciesism, and moral individualism.

Unqualified speciesism is the assertion that membership in a particular species is sufficient for moral standing. Rachels offers little in support of this position, and what he does offer is borrowed from Robert Nozick, who speculates that there is a "general principle that the members of any species may legitimately give their fellows more weight than they give members of other species" (Regan and Singer 1989, 96). This principle is apparently derived by extending kin selection (Campbell 1993, 1184)) through clan, tribe, race, and so on to species selection. Actually, such a principle is supported intuitively. Most of us can think of many examples of individuals giving more weight to their own kind than to members of other species. In fact, it could be argued that speciescentrism is innate in all life forms, would increase species fitness and, therefore, would be "selected for" in the evolutionary process.

The difficulty with this position, as Rachels points out, is that the other forms of group-membership between kin and species like sex, race, and ethnicity, for example, "are not always (if they are ever) morally significant" (Regan and Singer 1989, 97). Rachels suggests that if it is acceptable to discriminate at one level in the progression from kin to species it could be argued that it is acceptable to discriminate at any level, race for example. "Race is, in this sense, akin to family" (Vandermeer, 1996, 103). Kin selection is based on the genetic similarity of family relatives and as such has a biological base in

inclusive fitness (Campbell 1993, 1184). This suggests that it could be argued that where there is a genetic basis for giving an individual or group a higher weight in conflicts of interests with outsiders it could be morally justifiable. Even if this argument held, it could only support discrimination at the other group levels if it could be shown that there was a significant genetic basis for that discrimination. Races are clearly genetically linked, but the relevant question is to what degree. Most of us categorize people according to phenotypic or physical traits, but when we categorize according to race the implication is that the genetic differences extend beyond phenotype to genotype; in other words, there are not just superficial or trivial physical differences, but rather deep or profound differences. Scientific studies have consistently shown that race "is not a biological issue...race is socially constructed" (Vandermeer 1996, 125).

This paper is not the place for an in depth argument about the genetic basis of race. However, for those inclined to pursue the issue further, Vandermeer offers a powerful argument for this claim along with scientific evidence to support it in his recent book, *Reconstructing Biology*. There is even less reason to connect sex to kin selection. Unqualified speciesism is not supported rationally.

Qualified speciesism still requires membership in a favored species, but that alone is not enough to warrant moral standing. Favored species membership must be correlated with an additional trait or quality like rationality, autonomous agency, or "interests" to merit moral standing. Traditional moralists, themselves members of the exclusive species, argue for anthropocentric membership criteria, then assert that no other species has the required characteristic. The usual required trait is "fully rational, autonomous agency"

(Regan and Singer 1989, 97). The importance of this distinguishing trait is revealed by two relevant considerations.

Humans have for eons utilized virtually all other species for food, clothing, companionship, entertainment, education and so on. If humans were exploited in the same manner, however, it would be considered profoundly immoral. A basic premise of moral thought requires a rational justification for treating individuals differently. The justification of human exploitation of nonhuman organisms is based on moral standing-- who has it and who doesn't. According to the traditional moralists, humans are the only species known to humans that have it: fully rational, autonomous agency. On this view, nonhumans cannot have moral standing, their interests are relevant only in an anthropocentric context. We are free to continue to utilize nonhuman organisms in any way that benefits us.

Rachels offers two insightful challenges to this assertion. We treat nonhumans in many different ways. Are all these different actions justified by the one favored trait? For example, how does the lack of fully rational, autonomous agency, language, or wants justify inflicting the Draize test in which the irritancy of cosmetics and other substances are tested by placing the substance into the eyes of rabbits? What does one have to do with the other? Rachels sums it up with a general principle: "Whether a difference between individuals justifies a difference in treatment depends on the kind of treatment in question. A difference in characteristics or traits that justifies one kind of difference in treatment need not justify another" (Regan and Singer 1989, 99). Human reason cannot justify the entire spectrum of differences in treatment between humans and nonhumans. At best it can justify some types of disparity in treatment.

Rachels also raises the question of humans who lack the favored trait such as the mentally handicapped. Nonrational humans would lack moral standing, therefore, they could be exploited and abused in the same manner as all nonhumans. Traditional moralists claim that handicaps are not relevant to moral standing since they are viewed as modifications of the preferred trait. A nonrational human has the moral standing of a rational individual because it is still a member of a species or group in which the preferred trait is characteristic. Rachels offers a convincing counterexample against this contention. He raises the hypothetical situation of a chimpanzee that could read and speak in English. Suppose it clearly is a rational being. Would it not then be entitled to moral consideration? According to traditional moralists, it would not, since the moral standing of chimpanzees is based on the typical species characteristics, and chimpanzees are characteristically nonrational. This is just a more sophisticated version of speciesism and, according to Rachels, qualified speciesism fails.

The third answer Rachels refers to is moral individualism. Rachels maintains that the issue of moral standing must be based on individual organisms rather than any group of organisms. Every individual organism is entitled to equal consideration of interests. This does not mean equality in treatment regardless of the kinds of individuals involved. According to Rachels' concept of moral individualism, "...what matters is the individual characteristics of organisms and not the classes to which they are assigned" (Regan and Singer 1989, 103). This principle will "allow the human to assert a right to better treatment whenever there is some difference between him" and another individual (human or nonhuman) that justifies it. The human cannot claim greater rights or consideration

simply by virtue of his species affiliation or by the possession of some characteristic that is irrelevant to the issue at hand.

Objections:

No direct objections to Rachels' moral individualism were found in the literature. This is not to say that there are none, but only that, for whatever reason, no one has thus far felt the need to publish any. There are, however, several objections that have particular significance relative to Rachels' moral individualism. Some of these objections have been mentioned above with regard to Singer's equal consideration of interests. They are as follows:

1.) One concern is that only one species is deciding what characteristics are necessary for moral standing for the entire phylogenetic spectrum of species. This raises many questions about the criteria for moral agency, the objectivity of evaluations of moral standing of other species, whether moral agency entails that moral agents may define the moral status of other beings, and so on. Some might argue that humans, as the only species capable of moral agency, are justified in defining the limits of moral obligations, if any, to other species. I submit that we cannot yet claim to be the only moral agent on this planet. Several other social species have relatively complex codes of behavior that may include at least a rudimentary from of species-specific moral agency.

2.) It is impossible for humans to completely remove their anthropocentric glasses to objectively evaluate what characteristics should count for moral standing. Obviously it highly questionable when humans claim to be the only moral agents, but base that claim

only on their own anthropocentric definition of the term. This is not to assert that humans cannot define moral agency because there is no objective standard by which to judge their definition. Objective reasoning is the only measure we have, but we must be vigilant in our recognition of our inherent anthropocentricity when attempting to assess the moral standing of nonhuman beings.

Discussion:

1.) Rachels' argument is similar to Singer's in the sense that he rejects species membership as a criterion for moral considerability. It could be argued that Singer's position is a narrow form of moral individualism since his criterion for moral considerability is whether an individual is capable of suffering. Rachels, however, is not as restrictive and asserts that similarities and differences are the relevant criteria for moral considerability between individuals. This seems too vague, however, to be of practical use, and Rachels fails to offer a more specific criteria for moral considerability.

2.) Rachels' counterexample about the chimpanzee that could read and speak in English is interesting. Given the fact that humans and members of the genus *Pan* share "approximately 99% genetic identity," (AZA 1994) it is at least theoretically possible that man and chimpanzee could hybridize. Many zoos have chimpanzee sperm in cryogenic storage where it could be "acquired" and used to fertilize a human ovum either in vitro or utero. As a former zoo keeper, I can affirm that this is well within the capability of zoo personnel. Rachels' hypothetical situation could become a reality. Imagine the ramifications.

In the case of Rachels' conversant chimpanzee, the animal was still a member of a species that characteristically is nonrational and, therefore, the traditional moralists would argue, just as nonrational humans have moral standing by virtue of their membership in a rational species, the "talking chimp" would have no moral standing by virtue of its membership in a nonrational species. This argument would not hold for a hybrid human/chimpanzee with both rational and nonrational species parentage. How would dual species membership be considered in determining moral standing? Perhaps a modified speciesism would work in which any individual with the preferred trait or membership in a species in which the trait is characteristic would have moral standing. In the case of a rational hybrid, the issue would be easier to decide, since the hybrid would also be a member of a rational species. But would it? What about a nonrational hybrid? Would membership in a rational species be sufficient in this case for moral standing? How would species membership be defined for a hybrid? If the hybrid was fertile and produced offspring with a chimpanzee, the offspring would be only one-fourth human. Would there be some minimum percent that is necessary for species membership?

This certainly sounds strange, but a similar dilemma has plagued Native Americans who are in the unique position of being members of two distinct socio-political groups--American and tribal. As a result of the European conquest, there are many individuals of mixed heritage. All citizens of our country are members of the American group, but mixed blood people can also be members of a tribe from which certain benefits may accrue both to the tribe in terms of federal allotments and to the individual in psychological and financial terms. The difficulty arises from the issue of defining what it is to be a Native

American. How much Indian blood is necessary to qualify for membership? Some tribes have argued in court that one sixty-fourth Indian blood is sufficient to be an American Indian. No matter how you construct it, moral standing based on species membership and/or the possession of some favored trait is still speciesism.

3.) Rachels' argument is also interesting because it is clearly Darwinian. According to evolutionary theory if we trace back along the genetic history of any or all species, the progenitors become more closely related. All living organisms have similarities and differences depending on, among other factors, the degree of convergence and divergence of their lineage lines. The phylogenetic spectrum of life-forms can be compared to the visible electromagnetic (em) spectrum. The visible spectrum is a continuous band of discrete frequencies or wavelengths of em radiation. All the discrete wavelengths from 380 nanometers (nm) to 760 nm possess similar properties except for the difference in their respective wavelengths which is a function of their rates of vibration or frequencies. A subjective description of the spectrum refers to the band of discrete but continuous colors as the rainbow. We arbitrarily assign names to our sensory image of em radiation. For example, we refer to em radiation of 700 nm wavelength as red. It is not unheard of, although it is uncommon, to refer to red, blue, or yellow as species of color. We can view the phylogenetic spectrum, audio spectrum, the spectrum of elements or atoms that we commonly refer to as the periodic table, or the molecular spectrum and so on as analogous to the visible spectrum or rainbow. It is just as appropriate to refer to Strontium as a species of atom, or to DNA as a species of molecule, as it is to refer to a chimpanzee as a species of life.

Just as the visible spectrum is a continuous band of discrete wavelengths, the phylogenetic spectrum of life is a continuous band of discrete species. There are certain fundamental characteristics that are common to all members of a spectrum. It is these fundamental characteristics that define the unity of the spectrum. Moral standing based on species membership within the phylogenetic spectrum is no less arbitrary than moral standing based on sex, race, or some other characteristic within a species. Moral standing based on equal consideration of individual characteristics and interests seems nonarbitrary.

4.) The question of humans determining moral standing across the entire phylogenetic spectrum has particular significance for Rachels' position because it places major emphasis on the differences and similarities between humans and other life-forms. This seems like giving the fox the authority to determine the moral standing, if any, of the chickens. Of course, it could be objected that we are rational beings capable of objective and logical decisions about the moral standing of animals. However, we must remember that in evolutionary terms we were and are foremost an animal, albeit a rational one. There are limits inherent in our objectivity. We cannot be rational in a nonhuman way. We cannot be nonanthropocentric.

Conclusion:

Moral individualism would be difficult to apply because the only guidelines for moral determinations are individual differences and similarities relative to humans. It could be argued that many actions of questionable morality could be morally justified based on differences and similarities. Is that not how racists justify racism? Would not the clever fox

assert that chickens cannot have moral standing because they lack cleverness? Without more clearly and restrictively defined criteria for moral standing, moral individualism seems unworkable.

The next argument takes us from animal welfare to animal rights and asserts that those humans and nonhumans who meet certain criteria for moral standing all have equal rights. This is a more controversial position because some animals would be considered morally equal with humans.

Tom Regan: Animal Rights.

Tom Regan is a philosopher who argues that being a "subject-of-a-life" has inherent value and, therefore, by the respect principle, equal rights.

Premise 1. We are to treat those individuals who have inherent value in ways that respect their inherent value. (Respect principle)

Premise 2. To be the subject-of-a-life is to have inherent value.

Conclusion: Subjects-of-a-life are to be treated in ways that respect their inherent value.

Premise 1. All normal mammalian animals aged one year or older are subjects-of-a-life.

Premise 2. Subjects-of-a-life are to be treated in ways that respect their inherent value.

Conclusion: Normal mammalian animals aged one year or older are to be treated in ways that respect their inherent value.

Tom Regan asserts that there is a fundamental flaw in the relationship between humans and non-humans "...that allows us to view animals as our resources..." to be exploited in any way we desire (Harnack 1996, 35). Regan perceives the issue of human treatment of nonhuman animals as a matter of rights. He asserts that those beings that are "the experiencing subject of a life, a conscious creature having an individual welfare" have inherent value of their own (Harnach 1996, 37). Subjects-of-a-life have beliefs, desires, perception, memory, a sense of the future, an emotional life, sentience, preference and welfare interests, volition, a psychophysical identity over time and so on. (Armstrong and Botzler 1993, 321). Regan's definition of 'subject-of-a-life' is very restrictive, basically limiting it to all "normal mammalian animals, aged one year or more" (Armstrong and Botzler 1993, 325). It is this criterion that determines what living beings possess inherent value, which he conceives "...to be a categorical value, admitting of no degrees" (Armstrong and Botzler 1993, 321). From the respect principle it follows that "We are to treat those individuals who have inherent value in ways that respect their inherent value (Armstrong and Botzler 1993, 322). Furthermore, "...to fail to show respect for the other's independent value is to act immorally, to violate the individual's rights" (Regan and Singer 1989, 111).

There are those who might agree that some animals have inherent value, but hold that they have less that humans. Regan's response is to ask on what basis is their inherent value less? Because they lack reason, or autonomy, or morality? Then we must pass the

same judgment on infant and mentally impaired humans, something we are obviously not prepared to do. Regan supports his position by appealing to the argument from marginal cases. In this argument it is claimed that although infant and mentally deficient humans fail to meet all the criteria for a subject-of-a-life, they are still considered the bearers of rights that generate obligations in moral agents. These rights are derived from their being of a kind that normally has inherent value. Furthermore, Regan would respond that such a view would open the door to forms of discrimination that we consider immoral. Accordingly, Regan advocates the total abolition of the use of animals in science.

Objections:

1.) R. G. Frey argues that Regan's attempt to support his claims by invoking the argument from marginal cases fails because it assumes that all human life, however deficient, is of equal value (Regan and Singer 1989, 115). He rejects this assumption and maintains that there are good reasons for doing so. How do we value human life? According to Regan, categorically by membership in a species that meets the criterion for inherent value, that is to be a 'subject-of-a-life', rather than the quality of life. For Frey, on the other hand, the value of life is a function of its quality, which is a function of its richness, scope, or potential for enrichment. The quality of life for an anacephalic or brain dead human cannot be comparable to the quality of life of a normal human. In fact, one could argue that such defective human organisms are not human in the usual sense, therefore, it is unreasonable that they be valued equally with normal individuals. Our society recognizes this fact, as is evidenced by the standing accorded to such defective

individuals, particularly in the medical and legal fields. Severely defective humans are deemed of the lowest priority or ineligible for organ transplants, and they are legally considered moral subjects rather than moral agents. If humans are not all of equal value, Regan's argument fails.

Even more fundamental than the claim of **equal** inherent value is Regan's claim that animals have inherent value at all. Regan supports this claim by appealing to the fact that humans still value severely defective individuals who clearly have no instrumental value whatever, therefore, they must have inherent value. Since rationality is not a criterion for the inherent value of humans, how could it be a criteria for the inherent value of animals? Frey argues that, in the case of severe senile dementia or anacephalism, there cannot be any inherent value in the usual sense of the term since, "The quality of life can plummet, to a point where we would not wish that life on even our worst enemies; and I see no reason to pretend that a life I would not wish upon even my worst enemy is nevertheless as valuable as the life of any normal, adult human" (Regan and Singer 1989, 116).

2.) Mary Anne Warren argues that Regan fails to adequately support his argument for inherent value. She asserts that he defines inherent value almost exclusively in negative terms by stating what it is not, rather than what it is (Harnack 1996, 42). It is not dependent on the value that either the individual or anyone else places on it. Neither is it sentience or any other mental capacity. We know what he thinks it is not, but the real question is what is it. The closest Regan comes to a definition of inherent value is to say what it is to have it: "To say that we have such value is to say that we are something more

than, something different from, mere receptacles" (Harnack 1996, 36). Furthermore, "If the inherent value of a being is completely independent of the value that it or anyone else places upon its experiences, then why does the fact that it has certain sorts of experiences constitute evidence that it has inherent value?" (Harnack 1996, 43). As a result, Regan's concept of inherent value is obscure and ambiguous and Warren's objection has merit.

Warren states that Regan fails to define a clear connection between inherent value and having moral rights. She asserts that it "does not seem incoherent to say that some things are inherently valuable...and yet are not the sorts of things which can have moral rights" (Harnack 1996, 43). She mentions mountains, rivers and trees as examples of things that are not typically thought of as having moral rights Additionally, it seems plausible to ascribe inherent value to things which are not individuals like species, but it may be incoherent to ascribe moral rights to them. She concludes that the idea of "inherent value seems to create at least as many problems as it solves (Harnack 1996, 43).

Warren asks other pertinent questions as well. What exactly does "subject-of-a-life" mean? If it is defined such that only those species that have subjective awareness are subjects-of-a-life, how do we distinguish that definitively in nonhuman organisms? Like Kheel with Singer's position, she raises the objection that "Regan's theory forces us to divide all living things into two categories", those that meet the criterion and those that do not (Harnack 1996, 43). Since the criteria for being a subject-of-a-life are subjective, determinations will be arbitrary, particularly for individuals that are near where the line falls and, as a result, are not clearly in one group or the other. She also raise the question of anthropocentrism in evaluating the traits of nonhuman organisms.

Accordingly, Warren concludes that Regan's argument is inconclusive, and she argues for what she refers to as the weak animal rights case. Warren's position is as follows: While it is true that the conventional view of moral agency restricts its applicability to rational self-legislative autonomous agents and "logical analysis will not answer the question of whether animals have moral rights, practical considerations may, nevertheless, incline us to say that they do" (Harnack 1996, 48). She proposes sentience as the only practical criterion for determining which animals have moral rights.

Discussion:

1.) Frey raises important questions about how we value human life. In his objection to the categorical nature of inherent value, he correctly notes that what we say about how we value human life does not always agree with practice. But the observation that we often fail to treat humans as of equal value in no way refutes Regan's assertion that all "subjects-of-a-life" are to be treated equally based on the categorical nature of inherent value. Frey, in order to refute Regan's position, needs to show that inherent value is not categorical. To assert that the fact that it is not categorical in practice shows that inherent value can not be categorical is to beg the question. Frey's objection fails.

He also argues against inherent value as a criterion for moral standing. Here he argues that there are good reasons not to hold all human life regardless of quality as of equal value. Hardin's lifeboat ethics demonstrates the true disparity in value between humans based on quality of life considerations (Bowie et al. 1992). Who would a

reasonable person save if he could save only one, a human suffering from severe senile dementia or a normal healthy dog?

2.) Warren's first objection that Regan defines inherent value only in negative terms seems to be supported by a review of Regan's writings on the subject. However, the question she raises about how certain types of individual experiences provide evidence that the individual has inherent value seems to be based on the erroneous assumption that, according to Regan, inherent value is completely independent of the value that the individual organism or anyone else places on its experiences. Regan states that, "we are each of us the experiencing subject-of-a-life, a conscious creature having an individual welfare that has **importance to us** whatever our usefulness to others" (Harnack 1996, 37).

In Warren's second objection she alleges that Regan fails to define a connection between inherent value and moral rights. Moral rights are usually considered the exclusive province of moral agents because moral agency, as noted above, is traditionally conceived as necessitating certain capacities to be a moral agent; the ability to recognize moral issues as well as to be morally responsible, for example. This gives rise to questions like how could nonrational organisms be morally responsible and, thereby, moral agents without even the capacity to have a concept. If inherent value is enough to warrant moral agency, then it must be a nontypical moral agency and, as such, would require a definition, which Regan fails to supply. Regan offers no solution for this difficulty, but we recognize abstract entities like corporations as having moral rights so why not ecosystems or species.

It is difficult to reconcile inherent value of nonrational organisms with the concept of moral agent. The evidence supports Warren's objection.

The other questions Warren raises are important, and Regan needs to respond to them in order to counter their impact. Warren's counterproposal for weak animal rights is no better than Regan's. It amounts to Singer's argument, except she argues for moral rights for all sentient beings rather than equal consideration of interests. Therefore, based on the arguments against Singer's position that were discussed above, we can conclude that Warren's weak animal rights proposal is inadequate.

3.) In my opinion, Regan's argument is less cogent than Singer's. Even if we grant his argument for inherent value (which I am inclined to do, but not on the restrictive subject-of-a-life criterion), he fails to make a case that inherent value is, in itself, sufficient for moral agency and, thereby, moral rights. The concept of rights by traditional definition is relevant only to rational, self-legislative, moral agents in a socio-cultural context. If Regan is using rights in a different context, it is incumbent on him to state his context. What he offers by way of justification is his subject-of-a-life criterion which essentially seems to fall between sentience and rationality in spite of his assertion that inherent value is independent of sentience, rationality, sex, race or any other trait that would open the door to discrimination. He states that individuals are subjects-of-a-life if they have beliefs, desires, perceptions, memory, a sense of their own future, sentience, preference and welfare interests, volition, and a psychophysical identity over time. To be a conscious subject of a life entails sentience, although sentience is not sufficient, and mental states such that, although rationality is not entailed, it comes close (Armstrong and Botzler 1993, 321). He

declares that the subject-of-a-life criterion "identifies a similarity that holds between moral agents and patients" (Armstrong and Botzler 1993, 321). Furthermore, "since inherent value is a categorical value, admitting of no degrees, any supposed relevant similarity must itself be categorical" (Armstrong and Botzler 1993, 321). Even granting that inherent value is categorical and that a criterion that identifies a similarity between moral agents and patients might be categorical, this is not sufficient to entail moral rights for all subjects-of-a-life. If moral agents and patients are to be melded into one moral class, what is that class? Are they all moral agents, which seems impossible by definition, or moral patients, which Regan clearly feels is too inadequate to do the job he wants done. His position precludes any other option like moral agents **or** patients depending on which criteria are met.

4.) Another major problem with Regan's position is that the subject-of-a-life criterion involves a complex set of parameters that in many cases are difficult to evaluate. It is clearly inappropriate for the vast majority of nonhuman species. The categorical nature of the subject-of-a-life criterion requires that a line of demarcation be drawn between animals that can meet it and those that do not. In evaluating animals according to the subject-of-a-life criterion, there is no obvious line of distinction between those that qualify and those that do not. Therefore, wherever the line is drawn seems arbitrary. This is supported by Regan's assertion that only mammals of one year or older can have inherent value. This qualification apparently excludes mice or any other mammals that are reproductively mature at much less than one year of age.

5.) Another difficulty arises from Regan's appeal to the argument from marginal cases to support his assertion that rationality cannot be a requirement for moral agency. The argument from marginal cases is the assertion that, since we recognize the rights of nonrational humans, it cannot be the case that rationality is required for moral agency. This argument is countered by the fact that, although we recognize the rights of nonrational humans, those rights are exercised as rights of a moral patient rather than a moral agent. In other words, nonrational humans are capable of being owed obligations.

6.) Although Regan asserts that moral standing can only apply to individuals as opposed to groups, an analogy between racism and speciesism could provide the basis to argue for reverse discrimination as a means of retributive or compensatory justice. Just as in our culture it was deemed just to institute a policy of discrimination for those **groups** that had been for so long the victims of discrimination against their interests, it could be argued that the victims of speciesism should be compensated in a similar way. Utilitarians like Thomas Nagel defend such a response to racism (Bowie et al. 1992, 362). Furthermore, it could be argued that consistency justifies the same response in the case of speciesism.

The obvious objection to this point is that victims of racism have inherent value while animals do not, therefore, the question of compensatory justice is not relevant since, in the case of speciesism, there is no inherent value to be lost or devalued. However, according to Regan's argument for the subject-of-a-life criterion, most species of mammals do have inherent value and ought to be, from the standpoint of consistency, treated equally. This might hold promise in dealing with the issue of endangered species.

Just as racial discrimination has resulted in great suffering for members of minorities so has speciesism resulted in great suffering for members of persecuted species. Would this mean that the Endangered Species Act is, in fact, an affirmative action program? Is the federal program for the recovery of bison an affirmative action plan?

Conclusion:

In the author's opinion, Regan's argument is inadequate to extend moral agency to nonhuman species. Therefore, his claim that some nonhuman animals have rights fails.

The last argument to be considered represents the opposite extreme of animal rights arguments, that animals cannot be moral agents and have moral rights.

Cohen: Animals have no rights.

Carl Cohen is a philosopher at the University of Michigan who argues that only humans can meet the traditional criteria for moral agency and moral rights.

Premise 1. Moral obligations can only obtain within a community of moral agents.

Premise 2. Only human beings are moral agents.

Conclusion: Only human beings have rights.

Carl Cohen argues that rights are, in general, "claims, or potential claims, within a community of moral agents" (Cohen 1986, 865). He defines moral capability as dependent on the capacities of free will, rationality, self-consciousness, membership in a moral community, and intuitive cognition of right or wrong action. He asserts that only humans

have all these capacities and, therefore, only humans can have rights or obligations. He acknowledges, however, that humans can and do have obligations to animals. They may arise from special relationships like those that exist between humans and their pets or domestic livestock or they may arise from humane considerations of minimizing or ending an animal's suffering by euthanasia. Cohen argues that rights and obligations are not reciprocals of one another and that obligations to animals do not entail that animals have rights (Cohen 1986, 866). He cites the principles of nonmaleficence and beneficence that obligate humane treatment of animals, but asserts that "To treat animals humanely , however, is not to treat them as humans or as the holder of rights" (Cohen 1986, 866).

Objections:

Cohen addresses several objections to his position including the argument from marginal cases and the argument that the criteria for moral capacity, like the abilities to communicate, reason, or exhibit desires and preferences, are also possessed by many animals.

1.) The argument from marginal cases asserts that if having rights requires rationality, then those humans that are clearly nonrational for whatever reason, be it infancy, senility, mental retardation, and so on, must be without rights. Since this is not the case and nonrational humans are recognized as having rights, it can not be the case that rationality is required for moral agency. Cohen rejects this argument, claiming that "the capacity for moral judgment that distinguishes humans from animals is not a test to be administered to human beings one by one" (Cohen 1986, 866). He maintains that the objection from

marginal cases fails: "it mistakenly treats an essential feature of humanity as though it were a screen for sorting humans" (Cohen 1986, 866). The fact that some humans lack the ability to perform as moral agents is not sufficient reason to deny them moral standing. According to Cohen it is an issue of kind. Defective humans are still members of a kind that is normally moral. Animals never have been.

2.) The second objection that many animals possess the criteria for moral capacity fairs no better according to Cohen. While it is true that animals "...do indeed exhibit remarkable behavior...," it is impossible for them to be members in a moral community governed by moral rules or even to have a concept of morality let alone make moral decisions (Cohen 1986, 867).

1.) Rachels objects to a point that Cohen asserts in his objection to the argument from marginal cases which as we have seen is based on our recognition of the moral standing of defective humans. Cohen tries to refute this argument by asserting that it is an issue of kind, and "Animals are of such a kind that it is impossible for them to give or withhold voluntary consent or to make a moral choice (Cohen 1986, 866). According to Rachels, it is obvious that animals are withholding consent by their "frantic efforts to escape" (Armstrong and Botzler 1993, 339).

Rachels also offers the example of the rational chimpanzee discussed above in which it is denied moral standing even though it clearly possesses the relevant criteria because it is a member of a kind that normally is nonrational. Accordingly, he finds Cohen's argument irrational.

Discussion:

Cohen takes a very strong position and makes some valid points, however, his argument is weak. His first premise seems reasonable. The second premise, however, is not so clear. Richard Alexander, E. O. Wilson, and others argue that morality is an evolved adaptation. If they are correct, it is reasonable to expect that other species have evolved at least rudimentary or premoral behavioral systems. Moral systems are societies with rules (Alexander 1987, 1). They are social contracts defining what is permitted and what is prohibited--codes of behavior. Many nonhuman societies such as wolf packs, lion prides, meerkat bands, and insect colonies are regulated by codes of behavior, both genetically coded and culturally codified. Although the members of these social units do not have a moral concept in the strict sense of the term, their codes of behavior can be considered as a crude form of contractarianism. The members of the social unit behave in ways that are consistent with the code of behavior and the rewards and punishments that derive from cooperation or conflict. They can abide by the rules or be punished and even banished. This type of behavioral code is typical of hominid hunter-gatherer societies and can be considered a premoral system. More will be said on this subject in Part Two of this paper. In any case, premise 2 is in doubt.

Although Cohen indirectly touches on the concept of moral patient when he acknowledges that "few will deny that we are at least obliged to act humanely toward animals, he argues his position exclusively from the case of moral agents. He asserts that humans who are unable to perform moral functions still possess rights in virtue of their being of a kind that is normally a moral agent. Given that they are of such a kind, this does

not mitigate the fact that they are incapable of being moral agents and, therefore, are not moral agents. That they generate obligations for moral agents is true only because moral agents recognize them as moral subjects. It would seem that arguing for moral standing as moral patients would provide a stronger argument in support of moral standing for those humans who fail to meet the criteria of moral agency than the argument for being of a kind. A moral subject is a being to whom moral agents have obligations, that are not themselves able to have obligations. From this it follows that at least some animals must be moral subjects. Pets, domestic animals, wild animals that are captive in zoos or other similar situations, and any other nonhuman animal that is in any way managed by moral agents must be moral subjects. Just as moral agency is not defined by species membership but rather by individual capabilities as acknowledged by Cohen and stated above in his second premise, the definition of a moral subject must be based on whether a being can be owed obligations, not on species membership. Furthermore, while being a moral agent seems to entail being a moral subject, it does not follow that a being that is not a moral agent is also not a moral subject. Nonhuman and human animals that are not moral agents are moral subjects if they are in a relationship with moral agents in such a way that they generate obligations for the moral agents. Cohen's argument holds insofar as it deals with moral agents. Those beings that cannot meet the criteria for moral agency cannot be moral agents or have moral rights. However, this does not preclude them from having moral standing as moral patients, a subject he fails to develop.

Conclusion: Cohen's argument focuses on moral agency and, while he recognizes that

some animals have moral standing by virtue of their special relationship to a moral agent, he argues unconvincingly that only humans can have moral standing.

Summary:

The above arguments represent the primary positions in the animal rights debate. Although there are literally hundreds of publications on the subject, they basically deal with the implications of these fundamental arguments or variations of them. Although all of the arguments raise important issues, they are all seriously flawed or deficient in some way.

The argument for equal consideration of interests is an attempt to justify the extension of moral standing to those species of life that are sentient as moral patients not moral agents--animal welfare, not animal rights. The success of the argument depends on the criterion for moral standing. There are inherent difficulties in the application of sentience that make it unworkable and of questionable relevance to the issue of moral standing. Regan tries to invoke the principle of respect based on the inherent value of a subject-of-a-life, but this argument is even more restrictive than Singer's. Cohen's argument is an attempt to justify speciesism, and it too fails for the reasons above. Rachel's argument for moral individualism is the most successful at eliminating speciesism, however, it is difficult to see how it would work, and Rachels fails to offer a strategy.

Perhaps the best means of eliminating the potential for speciesism in determining moral standing is to argue that all life-forms have moral standing. Since it is clear that only rational, self legislative members of a moral community are moral agents, such an

argument must count all amoral agents as at least potential moral subjects depending on their situation relative to moral agents. This would encompass all beings that are, to one extent or another, dependent on or managed by moral agents. Since the governments of human nations in the name of their citizens hold in trust natural resources including wildlife, it can be argued that all wildlife are moral subjects. The only life-forms that would not have any moral standing would be those that are not capable of moral agency and are not in any way to be considered to be held in trust by or to be the common property of moral agents, either directly or indirectly, such as pelagic marine organisms that never enter the territorial waters of a moral agent or a community of moral agents.

If species membership is not relevant to being a moral subject and we consider human moral subjects to possess rights, then all moral subjects should be owed obligations equally. Such an assertion is tantamount to heresy and would cause consternation throughout nearly the entire human species. I say nearly, because, there is a very tiny minority of humans who incorporate a similar view in their worldview. Many indigenous cultures view all forms of life as entitled to equal consideration of interests. The Native American view that all life-forms are equal participants in the web of life is well known. It is not just a question of whether all life-forms are entitled to equal consideration of interests, but in what context do these interests hold and are there different interests in different contexts, e.g. interspecies and intraspecies contexts.

The objections and conclusions presented here may be of value to a natural resource manager in a dialogue with animal rights activists who base their advocacy on

philosophical or moral principles, however, they will be of little value with those whose advocacy is irrational, being based primarily on emotion.

PART TWO

Animal Rights: A Biocentric Perspective.

I. Introduction:

Part Two of this thesis will consist of a presentation of two prominent arguments for a biocentric approach to animal rights, each followed by an objections section, a discussion section, and a conclusion section. Part Two will conclude with a discussion of important points in constructing a biocentric moral system. One of the principal objections to the arguments discussed above is that they are based on criteria for moral standing that result in some forms of life being morally considerable and some not. Where the line that distinguishes moral standing falls inside the phylogenetic spectrum of life seems arbitrary, as has been noted above. This objection can be resolved by finding criteria for moral standing that distinguishes between life-forms based on clearly relevant differences or criteria that encompasses all life-forms (biocentric). The latter would be preferable since the issue of arbitrary judgments of moral standing would not even reasonably arise.

Kenneth Goodpaster and Paul Taylor have developed arguments for a biocentric criterion for moral standing. They both argue that moral considerability ought to encompass the entire phylogenetic spectrum.

Kenneth Goodpaster: A biocentric criterion for moral considerability.

Goodpaster argues that "nothing short of the condition of being alive seems to be a plausible and nonarbitrary criterion" for moral considerability (Armstrong and Botzler 1993, 348). Goodpaster defers the question of moral rights and argues only for the

broader and less demanding moral considerability. He also distinguishes between moral considerability and moral significance. Moral considerability involves the fundamental issue of who or what is morally considerable, and moral significance involves the issue of comparative moral weight in resolving cases of conflict.

He begins his argument by invoking G. J. Warnock's approach to the issue of moral considerability from the perspective of a moral patient (subject) rather than a moral agent. The query becomes: what are the criteria for generating an obligation in moral agents? In other words, "what are the requirements for having moral standing in the moral sphere?" (Armstrong and Botzler 1993, 347). For Kantians like Cohen, the criteria for moral considerability are synonymous with those for moral agency (see Part I). Having interests is the criterion adopted by Singer, Frankena, and others (see Part I).

Goodpaster rejects both of these criteria. He maintains that the interests criterion is used too restrictively in the sense that only beings that can have desires, wants, or aims can be represented or be beneficiaries and, therefore, have interests. Such an interpretation excludes many life-forms like plants, many animals, and some humans from moral considerability. Goodpaster points out that "in the face of their obvious tendencies to maintain and heal themselves, it is very difficult to reject the idea of interests on the part of trees [and plants generally] in remaining alive" (Armstrong and Botzler 1993, 351).

He also rejects the assertion by Feinberg, Singer, and Frey that needs of living things like plants, for example the need of a tree to be watered, are not their needs but those of the moral agent: "Plants may need things in order to discharge their functions, but their functions are assigned by human interests, not their own" (Armstrong and Botzler

1993, 351). The only justification for their existence is solely for human interests. Goodpaster points out that the relevant interests of living beings are their own in continuing to live. He concludes "...that the interest principle either grows to fit what we might call a 'life principle' or requires an arbitrary stipulation..." of secondary characteristics.

Objections:

Goodpaster addresses six objections to his argument.

1.) Some object that the principle of moral consideration for all living organisms is romanticism. Goodpaster responds that such a criticism misses the point of his argument, which is that sentience is not necessary for moral considerability.

2.) Another might object that Goodpaster's argument suggests that moral considerability is co-extensive with life, and this in turn suggests that conscious beings have no more moral considerability than a vegetable. Goodpaster counters that this objection also misses the point of his position. Differences between life-forms are determined by moral significance, which is consistent with acknowledging the moral considerability of all life.

3.) There are some who object that life itself cannot be adequately defined and, therefore, should not be a criterion for moral considerability. But Goodpaster argues that there are several adequate definitions, and other criteria like rationality, sentience, or the capacity to have interests are no better. He offers a definition by K. M. Sayre that he asserts is adequate: life is a "...persistent state of low entropy, sustained by metabolic

processes for the accumulating of energy, and maintained in equilibrium with its environment by homeostatic feedback processes" (Armstrong and Botzler 1993, 352).

4.) If life is the criterion for moral considerability, then it is possible to argue that ever larger biotic communities could satisfy the criterion for moral considerability. This would be a reductio of the life principle. Goodpaster counters that the implications should be taken seriously and cites the Gaia hypothesis that the biosphere, as a whole, behaves in ways analogous to a living organism. He seems to support the idea and, in fact, it could provide a way of justifying human obligations to protect and preserve species, ecosystems, and the biosphere.

5.) There is the epistemological problem of attributing interests to nonsentient beings like trees. Goodpaster asserts that we are more than competent to appraise the needs of other nonsentient beings. He points out that we make decisions on behalf of others every day.

6.) How does one live according to the principle of respect for life? What would we eat? How would we, could we, survive without utilizing other life-forms? Goodpaster defers this problem to moral significance for its resolution. He also distinguishes between regulative and operative moral consideration and acknowledges limits in operational moral consideration so we can eat.

Discussion:

Goodpaster's argument is good in that it extends the moral sphere to all life.

Unfortunately, he does not really address an operational strategy. His attempt to respond to the query about how we live under the principle of respect for life is to acknowledge that there are operational limits, but he does not discuss them. It is difficult to understand how, according to Goodpaster's principle of respect for life, one could take life for sustenance without violating the principle.

Another weakness in Goodpaster's case is his failure to develop the issue of moral subject. Although he argues for moral considerability for all life, he does not go any deeper into the matter regarding the distinction between moral agent and moral subject. We do not know if he is arguing that all life-forms are moral subjects and that rational self-legislative life-forms are moral agents or if the line of distinction falls somewhere else in the phylogenetic spectrum. Furthermore, he fails to develop the issue of moral subject for communities.

Conclusion: Goodpastor raises important issues like the value of all life, however, his argument is weak and relatively ineffective.

Paul Taylor: Biocentricity and the principle of respect.

Taylor, like Goodpaster, argues for a biocentric moral system. Taylor offers four beliefs that form the fundamental tenets of a biocentric morality:

(a) The belief that humans are members of the Earth's Community of Life in the same sense and on the same terms in which other living things are members of that Community.

(b) The belief that the human species, along with all other species, are integral elements in a system of interdependence such that the survival of each living thing, as well as its chances of faring well or poorly, is determined not only by

the physical conditions of its environment but also by its relations to other living things.

(c) The belief that all organisms are teleological centers of life in the sense that each is a unique individual pursuing its own good in its own way.

(d) The belief that humans are not inherently superior to other living things (Armstrong and Botzler 1993, 354).

The third statement, (c) in the above tenets of a biocentric moral system, is the one most relevant to the issue of animal rights. It forms the premise from which Taylor derives a theory of value. He cites the advances made by the biological and physical sciences in the study of living organisms when he describes them as each "carrying out its life functions according to the laws of its species-specific nature" (Armstrong and Botzler 1993, 354). Furthermore, research has also revealed the uniqueness of each individual organism.

Taylor defines "teleological center of life" as an individual manifestation of life whose

> internal functioning as well as its external activities are all goal-oriented, having the constant tendency to maintain the organism's existence through time and to enable it successfully to perform those biological operations whereby it reproduces its kind and continually adapts to changing environmental events and conditions. It is the coherence and unity of these functions of an organism, all directed toward the realization of its good that make it one teleological center of activity (Armstrong and Botzler 1993, 355).

Taylor argues that consciousness is not necessary for being a teleological center of life. "All organisms, whether conscious or not, are teleological centers of life in the sense that each is a unified, coherently-ordered system of goal-oriented activities that has a constant tendency to protect and maintain the organism's existence" (Armstrong and Botzler 1993,

355). Furthermore, each individual organism is different from any other including those of its own species. Every organism is unique. Taylor's theory of value or interests is that all life-forms have a good of their own.

His theory of obligation is apparently based on the principle of respect: "right actions are always actions that express the attitude of respect..." (Armstrong and Botzler 1993, 357). This theory consists of four rules. The Rule of Nonmaleficence is the obligation not to harm any entity that has intrinsic value. The Rule of Noninterference is the obligation to not interfere with the freedom to pursue life-sustaining activities by organisms, or the natural homeostasis of ecosystems and biotic communities. The Rule of Fidelity is the obligation to treat organisms in such a manner as to engender their trust. The Rule of Restitutive Justice is the obligation "to restore the balance of justice between a moral agent and a moral subject when the subject has been wronged by the agent" (Armstrong and Botzler 1993, 358).

Taylor also proposes five principles for resolving conflicts of interests. The principle of self-defense is the assertion that it is permissible for a moral agent to take whatever self-defensive action is necessary and sufficient to prevent injury or death resulting from the actions of another organism. The remaining four principles deal with instances of conflicts that involve the basic interests of nonhuman organisms and the nonbasic interests of humans. Nonbasic interests of humans, according to Taylor, are those interests that contribute or relate to the realization of some value system over and above what is necessary and sufficient for the maintenance of health and psychological well-being. Taylor divides human nonbasic needs into two types, those that are directly

exploitive of nature and are intrinsically incompatible with the respect principle and those that are not exploitive of nature but may inadvertently result in undesirable impacts that normally would be avoided.

The principle of proportionality, as applied to conflicts of interests between human and nonhuman animals, requires that greater weight be given to basic needs than nonbasic ones, regardless of species. Nonbasic needs of humans are never sufficient to override the basic needs of nonhumans. The principle of minimum wrong requires that, in situations where the human actions will negatively impact the basic needs of nonhumans, the action which results in the least harm of any available alternative action is obligatory. The principle of distributive justice applies when the conflicts of interests involve the basic needs of both human and nonhuman animals. In this situation, both interests are of equal weight, and any resolution should distribute the resulting benefits and loses equally between the parties. Being human does not entitle one to greater consideration than that given nonhumans. The principle of restitutive justice is "applicable whenever the principles of minimum wrong and distributive justice have been followed" (Armstrong and Botzler 1993, 366). It requires that whatever harm has been done to nonhuman individuals or communities be mitigated to an extent equal to the harm.

Objections:

1.) Some might object to Taylor's description of life activities as goal-oriented, which implies intent. How can a tree intend at all? Taylor seems to address this concern when he acknowledges that "trees and one-celled protozoa do not have a conscious life"

(Armstrong and Botzler 1993, 355). He points out that, in spite of the lack of consciousness, "they have a good of their own around which their behavior is organized" (Armstrong and Botzler 1993, 355). This is an important point usually over-looked. Unconscious innate behaviors are clearly organized toward a goal or objective. Those goals are survival and reproduction.

2.) Others might object that his teleological-center-of-life is defined in such a way that it could be extended to inanimate objects. Taylor has anticipated this objection and points out that inanimate objects cannot be centers-of-life nor can they have a point of view. A "stone has no good of its own" (Armstrong and Botzler 1993, 356). It is true that complex mechanisms can be teleological systems, however, "the goal oriented operations of machines are not inherent to them as the goal-oriented behavior of organisms is inherent to them" (Armstrong and Botzler 1993, 356). In other words, the goals of machines are derivative; the goals of organisms are original.

3.) While Taylor argues convincingly, in my opinion, for his theory of value, his theory of obligation is not so clear. He asserts that all life-forms have a good of their own. This is usually taken to mean that they have intrinsic value and from this moral standing. This seems to be Taylor's position as well, however, he does not state it directly. He bases his theory of obligation on the respect principle, but does not develop it. He argues that humans cannot be morally superior to plants and animals, because one is a moral agent and the others are amoral, therefore, since plants and animals do not fall within the range of application of moral standards, it is meaningless to compare them.

Taylor does not use the term moral subject, although, one can infer that this is how he views plants and animals. His claims that all life-forms have a good of their own, that right actions express the attitude of respect, and his four rules of conduct clearly support this view. It would have strengthened Taylor's case to develop the issue of moral patient.

4.) Like Goodpaster, Taylor has a problem with predatory moral agents. We must prey on life to survive. Taylor maintains that his principle of distributive justice applies to this issue. Failure to prey on other life-forms would be to sacrifice human life so that nonhuman life of equal value could continue. Since humans and nonhumans are of equal value, according to the principle of distributive justice, it is morally permissible to kill animals for food. There is no obligation to give greater consideration to the interests of the nonhumans over the humans. The difficulty here is that Taylor seems to suggest that subsistence predation is permissible only where it is not possible to produce domestic prey and where "geographical conditions preclude dependence on plant life as a source of nutrition" (Armstrong and Botzler 1993, 365). What are we to infer from this? That in spite of his assertion that all forms of life are of equal value, plants have less value than domestic animals which have less value than wild animals? Taylor tries to justify his position by appealing to his principle of minimum wrong. This is a perplexing principle which seems to permit wrong-doing as long as it is the least wrong of all available alternatives. The real difficulty here is the inherent implication that all predation by moral agents is wrong. Such a position is clearly absurd. Predation is a function of the species-

specific nature of humans as well as many other species. Moral agency does not preclude or negate a biological imperative.

Discussion:

Taylor's concept of teleological centers of life is similar to Regan's subject-of-a-life criterion for rights except that it is more inclusive. Instead of using subjective experience as the chosen characteristic, Taylor, like Goodpaster, argues that life itself is the appropriate value marker. Taylor's argument is stronger than Goodpaster's in that it asserts that continued existence and reproduction are ends and goods in themselves. It puts the value of life on firmer ground. He does, however, construct a strategy for the implementation of his biocentric moral system by offering rules and principles to facilitate moral decisions. His system will provide the foundation for the development of the biocentric moral system that follows.

Conclusion: Although Taylor argues powerfully for a biocentric moral system, his operational strategy is not practical.

Toward a Biocentric, Moral System

In order to minimize confusion and misunderstanding, a number of critical terms will be defined as used in the remainder of this paper. Although some of these terms are commonly used expressions, there are often subtle differences in meaning. They are defined here for the purposes of clarity. Reportive definitions are taken from the 1989

edition of Webster's Dictionary. When a definition is a modified version of the dictionary definition or a definition of a term not found in the dictionary, it will be noted as stipulative.

biosphere--the part of a planet inhabited by living organisms.

coefficient of relatedness--a quantitative measure of inclusive fitness which is the proportion of genes that are identical in two individuals because of common ancestors (Campbell 1993, 1184).

conspecifics--individual organisms all belonging to the same species.

culture--socially processed information; any species whose members make use of socially processed information has a culture that is describable in terms of that particular set of information. (Q and I, 1992, XV)

Darwinian fitness--a measure of the relative contribution of an individual to the gene pool of the next generation (Campbell 1993, G-8).

ecosphere-the portion of the universe sustaining life--that is Earth (stipulative).

ecosystem--the interacting system of a biological community and its physical environment.

ethics--a system of moral principles of behavior which govern an individual or group.

inclusive fitness--the total effect an individual has on proliferating its genes by producing its own offspring and by providing aid that allows other close relatives to produce their offspring (Campbell 1993,1184).

interspecies ethics--a set of moral principles of behavior that govern individuals and groups of different species. (stipulative)

intraspecies ethics--a set of moral principles of behavior that govern conspecifics. (stipulative)

kin selection--individual altruism in the form of aid proportional to the coefficient of relatedness of relatives such that the individual will increase the likelihood that more genes identical to its own will be represented in the next generation. (Campbell 1993, 1184).

life--the state of an organism characterized by certain processes or abilities that include metabolism, growth, reproduction, and response.

morals--concerned with right or wrong and the distinction between them.

moral systems--refers to a system of ethics or normative conduct.

organism--a living being or entity adapted for living by means of organs that are separate in function but dependent on one another.

species--A discrete band of individuals in the phylogenetic spectrum of life, closely related in structure and capable of interbreeding in nature to produce fertile offspring, but who cannot successfully interbreed with members of another species. The largest unit of population in which gene flow is possible and that is genetically isolated from other populations.

Ethical or moral systems usually derive from worldviews based on religions, science, or tradition. This is not the place to argue worldviews, nor is it necessary. For the purpose of developing a biocentric moral system, the author will begin with several premises. One premise is that naturalism, a worldview offered by contemporary science, is the most coherent worldview consistent with a biocentric moral system. Another premise

is that the theory of evolution currently offers the best explanation for the origin of morality as well as species. This is a very controversial hypothesis because the idea of the evolution of morality is usually associated with the sociobiology theories of E. O. Wilson and others. These theories are under intense attack from philosophers who reject the hypothesis because it is suggestive of ethical or cultural relativism both of which have been refuted by modern philosophy. Evolutionary naturalism may provide a solution.

Evolutionary (Ethical) Naturalism:

Richard Drees makes the following claims for naturalism:

1.) The natural world is the whole of reality that we know of and interact with; no supernatural realm distinct from the natural world shows up within our natural world, not even in the mental life of humans.
2.) Our natural world is a unity in the sense that all entities are made up of the same constituents.
3.) Physics offers us the best available description of these constituents, and thus of our natural world at its finest level of analysis.
4.) The description and explanation of phenomena may require concepts which do not belong to the vocabulary of fundamental physics, especially if such phenomena involve complex arrangements of constituent particles or extensive interaction with a specific environment.
5.) Fundamental physics and cosmology form a boundary of the natural sciences, where speculative questions with respect to a naturalist view of our world come most explicitly to the forefront.
6.) Evolutionary biology offers the best available explanation for the emergence of various traits in organisms and ecosystems; such explanations focus on the contribution these traits have made to the inclusive fitness of organisms in which they were present. (Drees 1996, 12-20)

These claims provide the foundation for a naturalistic worldview. According to naturalism, all phenomena are explainable by natural laws and processes which are consistent with empirical evidence. Therefore, according to naturalism, religious

traditions, morality, and moral systems are products of evolution explainable by natural laws and/or processes (Drees 1996,). The sixth claim provides another premise in the search for a biocentric moral system. Evolutionary biology offers a cogent explanation for the development of morality as an emerging trait concomitant with intelligence and sociality in organisms.

The Evolution of Morality:

T. H. Huxley was one of the first, if not the first, to seriously suggest a connection between evolution and ethics in his *Evolution and Ethics* published in 1894. He wrote, "Of course, strictly speaking, social life, and the ethical process in virtue of which it advances towards perfection, are part and parcel of the general process of evolution" (Paradis and Williams 1989, 172). In the succeeding century, Huxley's proposition has gained relatively few proponents. Scientific evidence did not really begin to catch up to Huxley's insight until the sixties when Hamilton realized that altruism between close relatives could help increase their genetic representation in the next generation (Campbell 1993 , 1184). This led to the concept of inclusive fitness.

Based on the latest scientific evidence, the theory of evolution offers the best explanation for the existence of moral phenomena. This is, however, a controversial position, given that the majority of the human species believe that morality derives from supernatural deities of one form or another. There is also the additional debate about evolution versus creationism that is often characterized as science versus religion. Stephen Jay Gould rejects this assertion and has proposed the principle of nonoverlapping

magisteria or NOMA, according to which, he claims that "no such conflict should exist because each subject has a legitimate magisterium, or domain of teaching authority--and these magisteria do not overlap" (Gould 1997, 18). While that may be true in regards to the evolution versus creation debate, it does not hold regarding morality, which Gould considers the "exclusive domain of religion" (Gould 1997, 18). In any case, religious worldviews are beyond the purview of this paper and will not be addressed in any way.

It is not possible in this thesis to give a complete account of the argument for the evolution of morality or present even a significant amount of the evidence in support of that argument. The most thorough account of the question of moral evolution is presented by Richard Alexander in *The Biology of Moral Systems* (1987). The volume and depth of the evidence he presents in support of his argument are remarkable. He is perhaps the most cited author by those scientists and philosophers who are working in the field of evolutionary ethics. For the purposes of this thesis, only the fundamental premises of Alexander's argument will be presented. Hopefully they will be sufficient to demonstrate the merits of the case for moral evolution, the importance of which is critical for a natural worldview that rejects any appeal to the supernatural for explanations of natural phenomena. Moreover, if morality is a product of evolution, human and nonhuman are bound not only by biological evolution, but by moral evolution as well. One must keep in mind that virtually all the work that has been done on moral evolution deals with humans. Few in the animal rights debate have taken modern evolutionary theory into account. Rachels refers to it to support his moral individualism, and Singer makes reference to reciprocity. However, Alexander faults him for his very narrow view of it, which ignores

the concept of indirect reciprocity (Alexander 1987, 157). In spite of this handicap, it will be obvious that the argument and evidence for moral evolution apply to one degree or another across the phylogenetic spectrum.

The issue of morality or ethics is essentially a matter of behavior. Behavior can be viewed as a continuum beginning on one end with the simplest genetically coded behavior or deterministic stimulus/response of a bacteria to the most complex social behavior of rational, self-legislative, moral agents like human animals. According to Donald Griffin of Princeton University, cognitive ability arose "through the normal process of natural selection, and, like many other major animal functions, forms a phylogenetic continuum that extends back in evolutionary history" (Campbell 1993, 1186). In other words, there is no distinct line in the continuum of behavior dividing rational from nonrational behaviors. Given Griffin's claim, it is reasonable to assert that morality arose in the same manner and that it, too, "forms a phylogenetic continuum that extends back through evolutionary history" (Campbell 199 , 1186).

According to evolutionary theory, behaviors, both innate and learned, are strongly influenced by genes. If there were no genetic influence, behavior would not be subject to natural selection and could not evolve (Campbell 1993, 1159). Behavior is a consequence of genetic and environmental influences. All organisms, therefore, can be expected to behave in ways that optimize their Darwinian fitness within an environmental context. Behavioral ecology is "based on the expectation that animals increase their Darwinian fitness by optimal behavior" (Campbell 1993, 1159). Behaviors that increase reproductive success survive, those that do not, do not survive. Those mechanisms that underlie a

particular behavior and can include the environmental stimulus, if any, that trigger a behavior, are referred to as proximate causes. The reason that a particular behavior exists is referred to as its ultimate cause.

All living organisms, including humans, have innate genetically coded behaviors such as fixed-action pattern (FAP) behaviors. FAP behaviors have evolved as responses to specific stimuli. One of the most powerful of FAP behaviors is the "fight or flee" response to a threat stimulus that was discussed earlier in this paper. The power of this FAP is, undoubtedly, an indication of its value in terms of Darwinian fitness because reproduction is fundamentally dependent on survival at least to sexual maturity. Other behaviors are learned, which is basically the process by which behaviors are modified by experience. Learned behaviors are gene dependent, in as much as the neural physiology that makes learning possible is, to a large extent, genetically determined.

Behavior can be asocial with each individual living a life independent of contact with conspecifics except for reproduction. Bears, badgers, foxes, pumas, and so on are typically asocial organisms. Behavior can also be social in that individuals can increase their Darwinian fitness by cooperative effort that is more efficient than individual effort. There are a number of types of social behavior. Perhaps the simplest is aggregation of individuals into herds, schools, and flocks in which the principal benefit is the protection from predation afforded by the relative anonymity in a group. Social behavior gradually increases in complexity from aggregative through agonistic and dominance hierarchies to the complex moral society of humans. Agonistic behavior, or ritual combat, has evolved as a means of establishing dominance with a minimum of injury and a reduction in the number

of conflicts (Campbell 1993, 1176). Dominance hierarchies can be said to be codes of behavior based on dominance and submission, in other words a "pecking order", which to a certain extent regulate the behaviors of individuals in the society. Moral societes are societies that have developed rational rules of acceptable behavior. These are species-specific behaviors organized to maximize Darwinian fitness through confluence of interests. As social complexity increases, social behaviors become more complex and codified. Individual drives among a social species in a common niche inevitably increase conflict because of the increasing competition for a limited resource. Codification of social behaviors is an adaptive mechanism for minimizing conflicts within a society.

In a wolf pack, the dominance hierarchy is a code of behavior that assures the next generation of the pack will be the best in terms of inclusive fitness that the pack can produce. Dominance is important not only as a mechanism for the reduction of conflict but also to improve the survival potential of the pack progeny in times of limited resources. In such a situation, the alpha female will prevent other females from reproducing. All the pack's resources are focused on one litter of pups. This necessitates that the reproductive drives of the rest of the pack members not be fulfilled. They must be subordinate to the needs of the pack, but this does not mean that they cease to function, although there is evidence that the drive becomes depressed. Still, there is a conflict between the individual's needs to reproduce and the fitness strategy that only the strongest reproduce to maximize the potential for survival of the offspring thereby ensuring the survival of the pack. It is this tension between individual needs and the needs of the society in terms of Darwinian

fitness and natural selection that "selected for" optimal codes of behavior. It is reasonable to assert that, as the adaptive trait of intelligence or rationality evolved in a social context, the codification of social behaviors would have gradually evolved into codes of reasoned and moral behavior. As societies of rational organisms became more complex, so did the moral codes necessary to minimize conflicts of interests.

The complexity of the behavioral repertoire of a species is proportional to the physiological complexity of the organism, the degree of interaction with conspecifics, and the richness of its habitat. Taylor provides us with the basis for defining a behavioral repertoire as a unified, coherently ordered system of goal-oriented activities that has a constant tendency to protect and maintain an organism's existence for the purpose of fulfilling its ultimate cause which is reproduction.

Alexander asserts that "moral systems are societies with rules. Rules are agreements or understandings about what is permitted and what is not, about what rewards and punishments are likely for specific acts, about what is right and wrong" (Alexander 1987, 1). Morality exists because of the conflicts and confluences of interests inherent in societies. By mitigating the negative social impacts of conflicts of interests, it increases reproductive success. Social behavior entails conflicts and confluences of interests which entail morality and capability (ought implies can). Obviously not all social behaviors are moral. Morality is an issue when, in an interaction between individuals, at least one of which must be a moral agent, there is the possibility of one gaining an advantage over the other. Rational behavior such as deciding to take a stroll is amoral. However, agreeing to abide by the social code that prohibits having sex with my neighbors

mate, thereby overriding the natural interests of my genes to reproduce, is clearly moral. This moral rule ostensibly benefits society by reducing competition for a mate which, in turn, reduces social stress, theoretically increasing the overall reproduction potential of all the members of the society.

Kin selection is an important concept in the evolution of morality. Without it the process of natural selection would have resulted in behaviors that maximized an individual's reproductive success regardless of the damage resulting to other individuals, groups, or species. In nature, however, we occasionally see incidents of altruistic or unselfish behavior. In meerkat colonies, for example, individuals take turns as a sentry watching for predators. When one is sighted, the sentry lets out a series of shrill whistle's that warns the rest of the community that danger is near. This behavior clearly puts the sentry at greater risk than the other members of the community due to its obvious alarm behavior that draws the attention of the predator to itself rather than the others.

Hamilton was the first to realize that "selection could result in animals increasing their genetic representation in the next generation by 'altruistically' helping close relatives other than their own offspring" (Campbell 1993, 1184). This realization led to the idea of inclusive fitness which is quantified by calculating the coefficient of relatedness between individuals. An individual's altruistic behavior may "result in more genes identical to its own in the next generation if it aids a sibling rather than a cousin" (Campbell 1993, 1184). This mechanism is referred to as kin selection. Yet, some animals also behave altruistically to nonrelatives. This behavior is not common in animals, and is usually seen only in those species with social groups that are stable enough to permit exchange of aid. The exchange

of aid between animals is referred to as reciprocal altruism (Campbell 1993, 1185). Alexander refers to reciprocal altruism as indirect reciprocity and asserts that moral systems are systems of indirect reciprocity (Alexander 1987, 77). The concepts of kin selection, inclusive fitness, altruism, and reciprocal altruism form an integral component of the sociobiological thesis that social behavior has an evolutionary basis. Michael Ruse reaffirms the importance of sociobiology when he states that "this theory of 'kin selection', and related models, spurred massive interest in the evolution of social behavior...and with such interest came one overwhelming conclusion...co-operation is virtually the norm in the animal world rather than the exception" (Ruse 1995, 235).

The central hypothesis of evolutionary biology is that happiness (pleasure) and its anticipation (desire) are the proximate mechanisms that lead us to perform and repeat acts that, in the environments of history, at least, would have led to greater reproductive success (Alexander 1987, 26). Furthermore, access or control of resources is vital to reproductive success. Alexander asserts that "to establish principles is reduction or simplification" (Alexander 1987, 14). In evolutionary biology, the search is for the principles that have given rise to "traits and tendencies, or at least the potentials for them" (Alexander 1987, 14). Thus, evolutionary reductionism is the development of principles from the evolutionary process. Alexander refers to Feinberg's assertion that pleasure and happiness are the best candidates for the status of supreme goods or ultimate goals. Moreover, according to Feinberg, finding "one large genus" by which we can analyze proximate mechanisms in relation to our behaviors will be very difficult. Alexander asserts that "discovering that our history of evolution by natural selection has been one of tuning

'enjoyment idioms' (proximate mechanisms) in the service of survival of genetic materials via reproductive success is precisely what evolutionary reductionism has accomplished" (Alexander 1996, 19).

Because moral and ethical problems and questions exist solely because of conflicts of interests, a theory of interests (valuation) is required. Alexander adopts Roscoe Pound's definition of interest "as a demand or desire which humans either individually or in groups or in associations or in relations, seek to satisfy, of which, therefore, the ordering of human relations must take account. Conflicts between interests arise from competition between individuals, groups or societies seeking to satisfy their wants" (Alexander 1987, 33). This definition, obviously, can be applied to all life-forms, not just human.

Based on this definition of interests, Alexander equates a theory of interests (values) with a theory of lifetimes: "lifetimes have evolved so as to promote survival of genetic materials, through individuals producing and aiding offspring and, in some species, aiding other descendants and some nondescendant relatives as well" (Alexander 1987,37). A theory of lifetimes is also a theory of effort. Lifetimes are composed of effort divided into two types--somatic and reproductive. Accordingly, the ultimate cause (goal) of life is not survival, but to maximize the likelihood of survival of their genes by reproduction. Recognizing that reproduction is the ultimate cause of valuation (interests) provides us with the means for understanding conflicts of interest. Survival of the soma and growth, development, learning, and cooperation are proximate mechanisms of reproductive success which is a proximate mechanism of genic survival (Alexander 1987, 38).

There is no reason to demand that interests refer only to what organisms consciously believe are their interests or intentions; all organisms are evolved to serve the interests of their genes, however, this does not necessarily imply that rational beings are obliged to serve them. Evolution is most deterministic for those organisms that are unaware of it. Alexander observes "that if this argument is correct, it may be the first to carry us from *is* to *ought*" thereby resolving the naturalistic fallacy that has for so long plagued naturalistic philosophers. In other words, "if we desire to be the conscious masters of our own fates, and if conscious effort in that direction *is* the most likely vehicle of survival and happiness, then we *ought* to study evolution (Alexander 1987, 40). The naturalistic fallacy is the claim that there is, as Hume put it, "a logical difference between claims about matters of fact ('is' statements) and claims about morality ('ought' statements)" (Ruse 1995, 229).

To summarize, one can argue that rationality, sociality, and morality are the products of evolution. Nitecki states:

> To an evolutionary ethicist no organism exists alone; two or more organisms together generate a relationship, which when beneficial to the two (or to the group) is "good," and when disruptive is "bad"; the boundaries between conscious and unconscious behavior are very hazy, or at least not clearly delineated; humans are not subject to any biological or physical law not applicable to other organisms, and all humans obey all biological and physical laws; no human society exists without a system of ethics, which is an internal societal system of control; and, therefore, all human behavior can be reduced to biology (Nitecki and Nitecki 1993, 7)

Those who believe that culture has somehow liberated us from our history of natural selection will be skeptical. (Alexander 1987, 21). If we assume that all life-forms,

including human, are the product of evolution, then it is reasonable to reject any assertion that humans are unique and outside the biological laws of behavior. From Alexander's theory of interests one can conclude that life has inherent value and, furthermore, that reproduction as the ultimate cause of life has inherent value as well. At this point we have a theory of value as described by Taylor and supported by evolutionary naturalism.

Objections:

Although there are, undoubtedly, many objections to the hypothesis of moral evolution, the three most prominent ones will be discussed here.

1.) The first objection is that proximate and ultimate mechanisms are of the same kind of significance and can be combined as if they were in the same class of causes. Alexander responds that this "is a failure to understand that proximate causes are evolved because of ultimate causes, and therefore may be expected to serve them, while the reverse is not true" (Alexander 1987, 161). He contends that pleasure is a proximate mechanism that drives us to behaviors that will contribute to our reproductive success. However, behaviors that contribute to our reproductive success are not proximate mechanisms that evolved to drive us toward maximizing pleasure.

2.) Another objection is that morality inevitably involved self-sacrifice, which is counter to the evolutionary imperative. Alexander asserts that this objection is based on three errors: "a.) failure to consider altruism as benefits to the actor; b.) failure to comprehend all avenues of indirect reciprocity within groups; and c.) failure to take into account both within-group and between-group benefits" (Alexander 1987, 161).

3.) Another objection is the naturalistic fallacy that is described on page 73. Other than his statement noted above on page 72-73, Alexander does not give a good response to this objection, however the typical argument is basically that if morality is the product of evolution, it has an empirical base from which we can deduce certain facts. From these facts we can, by applying reason, deduce how one ought to behave.

Moral Obligations:

Animal rights have evolved from the hypothesis that the criteria for moral standing are too limited. Over the course of human evolutionary history, the sphere of moral considerability has been expanded to encompass all moral agents as well as those moral subjects who would normally or potentially be a moral agent but for some mitigating factor such as infancy or senility. The animal rights theorists seek to expand the moral sphere and the arguments presented in Part One above reflect their attempts. All of their theories seem inadequate to the task in one way or another. These arguments are monistic in that they seek "to produce, and to defend against all rivals, a single coherent and complete set of principles capable of governing all moral quandaries" (Stone 1987, 116).

Moral quandaries "...exist solely because of conflicts of interest; moral systems exist because confluences of interest at lower levels of social organization are used to deal with conflicts of interest at higher levels" (Alexander 987, 33). Stone classifies moral quandaries into conflicts between natural persons, corporations, nation-states, and animals. (Stone 1987, 37-38). For our purposes we will take "human" to refer to: corporations, nation-states, tribes, clans, and so on as communities of moral agents; plants

and animals as amoral organisms capable of being moral subjects; and schools, packs, herds, troops, flocks, hives, and so on as communities of amoral organisms capable of being moral subjects. Conflicts of interests can arise within and between any of these classes.

All intraspecies conflicts are resolved according to the species-specific codes of behavior consistent with the natures of the particular species involved. Intraspecies codes of behavior may be either amoral or moral and are applicable only to intraspecies conflicts. Human moral codes of behavior are applicable only to humans, just as the code of behavior of wolves is applicable only to wolves, and so forth. No species, including human, has the right or obligation to impose its code of behavior on any other species. In the mid-seventies, a visitor to the Toledo Zoo remained in the zoo after closing and sometime during the night removed his clothes and entered the polar bear exhibit. Polar bears are fierce predators and, as any zoo keeper can tell you, to enter their exhibit is to effectively commit suicide. The individual was found the next morning by zoo keepers. He was dead, and more than half his body had been consumed. When the story broke in the local news media, there were cries from some citizens that the polar bears should be executed. This incident illustrates the increasing lack of human understanding of and alienation from nature. The polar bears committed no crime, violated no applicable moral code, therefore, on what grounds were they to be condemned? Incidents like this occur frequently, although the animals involved are usually dogs protecting their territory (yard). Humans even go so far as to put animals on trial in courts, as though their moral and legal codes of behavior are applicable to nonhuman organisms (Stone 1987, 63-64).

Interspecies codes of behavior are more complex. For the vast majority of species, interspecies conflicts are amoral. That is, there is no question of right or wrong. The resolution of such interspecies conflicts is determined by the nature of the conflict and the species-specific codes of behavior characteristic of the individuals involved in the conflict. Interspecies conflicts typically derive from competition for a resource including food, water, shelter, or territory. These types of interspecies conflicts are nearly always resolved by agonistic or dominance behavior resulting in little or no injury, which, in nature, often leads to death.

Another type of interspecies conflict is that between predator and prey. This type of conflict is obviously a matter of survival for both participants. Heterotrophic species must consume other life-forms to survive. These conflicts are also resolved according to the species-specific, interspecies codes of behavior of the individuals involved in the conflict. Lions, according to the nature of their interspecies code of behavior, resolve conflicts, either with other predators or potential prey, with tooth and claw, whereas, zebras according to their interspecies code of behavior, resolve conflicts with predators by fleeing. These are obviously oversimplified examples to make a point. All species have both intraspecies and interspecies codes of behavior characteristic of the nature of their species. When interspecies conflicts involve a rational moral agent, the conflict can become an issue of morality.

Based on current scientific thought, only members of one species, Homo sapien, fulfill the criteria for moral agents and moral communities. Conflicts between moral agents and/or moral communities are, therefore, intraspecies conflicts, and their resolution would

derive from an intraspecies moral and/or legal system. In an interspecies conflict with a moral agent, the moral standing of the other party is critical to its resolution.

In a biocentric moral system of the type under discussion here, the criterion for moral standing is Taylor's teleological-center-of-a-life from which it follows that all life-forms have a good of their own (intrinsic value). From the respect principle, all moral agents have an obligation to treat those individuals who have intrinsic value in ways that respect their intrinsic value. Having intrinsic value is usually taken to mean that the individual has rights. This is similar to Regan's argument for animal rights except that subject-of-a-life is replaced by Taylor's much more comprehensive teleological-center-of-a-life, and rights can be either the rights of a moral agent or patient depending on the individual. That is, the individual has a right and is permitted to pursue the goal(s) around which its internal functions and external behaviors are organized, which are continued survival and reproduction. Therefore, it can be asserted that all life-forms have rights. What type of rights an organism has depends on whether the individual organism has the capacities necessary to comprehend issues of morality and accept moral obligations. These are usually defined as rationality and self-agency. Rational, self-legislative, moral agents can have and generate obligations, while nonrational moral patients can only generate moral obligations in moral agents. Since, according to the teleological-center-of-a-life criterion, all life-forms have intrinsic value, all life-forms have moral standing. This does not mean, however, that in the case of a conflict between two moral patients that moral standing is relevant. Since neither is a moral agent, they cannot have obligations to each other, therefore, their moral standing is irrelevant. As soon as a conflict of interest

involves a moral agent, all parties to the conflict have moral standing, although, only the moral agent has any obligations. This obviously does not apply to the ant a human steps on while walking to the store because there is no conflict of interest in the usual sense. However, it would apply to any intentional human action that impacts individuals, groups, or natural systems such as draining a wetland or clearing a forest.

When any individual organism becomes involved in a conflict of interest with another organism or group of organisms, it is permitted to exercise and defend its rights according to its species-specific code of behavior regardless of the relative morality of that code of behavior. In the example given above of the conflict between a group of polar bears and a human, each party had a right to exercise and defend their interests. The polar bears had a right to defend their territory and to kill and consume prey that just happened to be human. The human had a right to defend its life. The fact that one was a moral agent and the others moral patients was irrelevant. Both behaved according to their species-specific codes of behavior. This is simply a conflict of interests between predator and prey; morality is not an issue. The fact that Peter Singer and other animal rights advocates assert or imply that predation is immoral is evidence of how an industrial-technological culture tends to alienate and isolate humans from nature.

In conflicts of interests between humans and nonhumans where the human is the predator rather than the prey, morality becomes an issue to the extent that the moral agent has an obligation to minimize the suffering of its prey which is a moral patient by virtue of its conflict of interest with a moral agent. In conflicts of interests between humans and nonhumans that are competitive rather than predatory, the moral agent has a moral

obligation to give equal consideration to the interests of the moral subject. What does this mean in practical terms? Humans cannot eat because it would end a life?

Humans are not separate from nature, they are an integral part of it. We are heterotrophic organisms that must consume life to exercise our right to survive and reproduce, but we have an obligation to give equal consideration to the interests of other life-forms. Equal consideration, not greater. In a conflict of interest between a human and a bison that involves survival, the human is a predator. The only moral issue is the question of the suffering of the bison, in this case, a moral patient, which the human has an obligation to minimize. Predation is not a moral issue even for moral agents except in the context of how the predation is carried out. Furthermore, picking up a package of ground beef in the supermarket is still predation, albeit by proxy. The consumer still has a moral obligation to the animal from which the beef was obtained. Predation is the killing and consumption of members of another species. To a plant, a cow is a predator.

In regards to those individual life-forms that we hold captive in zoos, research facilities, in our homes as pets or companions, or any other situation where the life-form, whether plant or animal is dependent on human care, humans have moral obligations to respect and provide for the physical, psychological, emotional, and behavioral needs of the individual organism. Furthermore, as these activities occur within a society of moral agents, the human keepers should be held accountable by that society's code of conduct (for the most part, a formal legal institution) for the treatment of any and all organisms for which they have assumed responsibility.

Some animal rights proponents would object that any of these activities violate the

individual organism's rights. However, one can argue that predation need not be limited to consumption, but could include other activities including the keeping of pets and livestock. This is a complex issue that raises many difficult questions that cannot be properly addressed in this thesis. For example, is the use of animals in medical research for the benefit of humans consumption (predation) or exploitation? Neither provides any benefit to the prey, however, consumption at least can assure the prey of some minimum quality of life followed by a relatively painless death. Medical research, by its nature, inflicts pain and suffering on a living organism that does not have the opportunity to refuse. Some would argue that only humans should be used in medical research that benefits primarily, if not exclusively, humans.

If all life-forms have intrinsic value, it follows that their communities have extrinsic value. A community of moral agents is a moral community. A community of moral patients is a moral community only when it is impacted by humans. In fact, as has been argued above, the evolution of communities or societies was a proximate cause of the evolution of morality. Biological organisms evolve in specific communities, habitats, and ecosystems and generally are not able to survive or thrive outside of these. Living organisms cannot exist in a vacuum; they exist in specific habitats or ecosystems. Habitats and ecosystems are communities of living organisms integrated into a particular physical environment such that the biotic and abiotic components together form an organized, coherent community. Habitats and ecosystems have extrinsic value to the life-forms inhabiting them. Furthermore, moral agents, when contemplating any action that may impact a biological community, habitat, or ecosystem, have moral obligations to all the

life-forms involved. If an exotic organism invades a biological community without any human involvement in its introduction, humans have no moral obligation to interfere, in fact they may have an obligation not to interfere. If, however, the exotic organism invades as a result of some human action, the resulting conflict of interests become a matter of morality. The moral agents have an obligation to both the exotic organism and the invaded community. Moral resolution of the problem must follow a set of priorities. If removal of the introduced organism is practical, it ought to be done as soon as possible in ways that equally respect the interests of both the exotic and indigenous life-forms, along with whatever management of the habitat is necessary to restore it to homeostasis. If removal is not practical, then management techniques that minimize the impact of the exotic invader must be initiated and maintained as long as the invader is a threat to the homeostasis of the community.

In those instances where conflicts of interests arise between humans and nonhumans over a commonly used resource, Taylor's principle of proportionality may provide a mechanism for resolution. In any situation where there is a conflict between the basic needs of nonhuman organisms and nonbasic needs of humans, greater weight is given to the basic needs of the nonhuman organisms.

The ecosphere is, in a practical sense, the global biological community (biosphere) interacting with the physical environment (geosphere, hydrosphere, and atmosphere). Because they have a biological component comprised of life-forms all of whom have moral standing, ecosystems such as a lake, river, or forest are moral communities in which both individuals and groups compete for vital resources. The health of a species or an

ecosystem is a matter of morality, if, and only if, that health is in any way threatened by either an individual--or community level--moral agent. If a species is endangered by the actions of moral agents, then the moral agents have obligations to restore the species to its previous condition.

Homeostasis in an ecosystem can be defined as that state which obtains when the interests of all the life-forms in the ecosystem are given equal weight. If homeostasis is disrupted by a moral agent, the moral agents have a moral obligation to restore it. In other words, moral agents have an obligation to preserve the homeostasis of any ecosystem they interact with. Because of the unparalleled evolutionary success of rationality, humankind effectively has control of the entire ecosphere. Therefore, it can be argued that humans have moral obligations to maintain an equal balance between those resources that are committed to human use and those that are committed to nonhuman use. Humans are not entitled to any greater share of nature's resources than any other life-form.

Summary:

In Part II of this paper, I have focused on only one type of moral system. There are obviously many other moral systems that derive from scientific disciplines as well as religious and cultural traditions. This narrow focus should not be construed as a judgment for or against any one system. It was simply not possible in this paper to address all the other possibilities. Ethical Naturalism was selected because it is particularly amenable to logical analysis as well as its unique applicability to natural resource issues. This thesis represents only the first stage in the development and evaluation of a biocentric approach

to the whole issue of morality.

Although there are, undoubtedly, many objections that could be raised to the forgoing discussion of a biocentric approach to animal rights, the intention of this discussion was simply to present a number of propositions relevant to a biocentric view of animal rights. It seems evident that the difficulty with each of the current theories about interspecies ethics is that they are trying to apply an intraspecies ethic in an interspecies context. From all the evidence so far, I think this is not only futile, but also inappropriate. It is the result of the difficulty we have in removing our anthropocentric glasses. Perhaps a more accurate description would be that the highly refined lenses of ratiocination through which most humans view the world have caused most of them to have such a myopic view of nature that they view themselves as outside and above nature. It is this delusion that, in my opinion, is the greatest threat to the survival of our materialistic culture and the environmental balance. It is doubtful that we will find a satisfactory system of moral standing until we can restore ourselves to our rightful place as a participant in nature rather that just an observer or consumer. This will be difficult to achieve because there will be so much resistance to overcome that has been built into our culture--a culture that has been essentially founded on the assertion that man is the product of a supernatural creation and therefore is not part of nature. Everything which is natural in us, we have been encouraged to distrust. The reality is that we are of nature and we ought to release the "beast" inside us to get back in touch with it.

It would be of great help in our quest for an interspecies ethic if we could transcend our rationality to the extent that we have control of it, rather than the other way

round. We are an autonomous, self-legislative, rational naked ape. We have inside of us all the feelings, instincts and drives that the other apes have.

A Biocentric, Interspecies Ethic.

Worldview:

Premise 1. If any worldview is consistent with the description of the natural world provided by both the natural sciences and human intuition in a simple and coherent way, then that worldview is correct.

Premise 2. Evolutionary naturalism is a worldview that is consistent with the description of the natural world provided by both the natural sciences and human intuition.

Conclusion: The worldview of evolutionary naturalism is correct.

Ethical theory:

Premise 1. We are to treat those individuals who have intrinsic value in ways that respect their intrinsic value. (respect principle)

Premise 2. To be the teleological-center-of-a-life is to have intrinsic value

Conclusion: Teleological-centers-of-a-life are to be treated in ways that respect their intrinsic value.

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